The Nation.

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The Week.

The Senate silver resolution, which was given precedence of Hawaiian annexation and all other business a week ago, bore the unmistakable marks of stock speculation. Stocks have been going up lately in a rather rapid way—perhaps too rapid for safety. If a clique on the short side of the market, or a certain number of speculating Senators wanting to "get in at a lower level," were concerned in this movement, they would naturally bring forward a resolution to scare timid people, and they would frame it in such a way as to secure a large vote for it without committing anybody to the free coinage of silver. The larger the vote, the greater the scare. It is lamentable indeed that the business of the country should be exposed to such barbarian attacks, such wanton shocks, whenever a clique of stock speculators, or a political faction, think they can see a gain for themselves by giving a fresh blow to public confidence. Perhaps we shall always have a party of disorder in the commonwealth to prevent the sober and industrious classes from forgetting their political duties.

We hear the opinion confidently expressed by knowing observers in Washington, that if that eminent citizen, the President, would put into the business of currency reform even one-half of the energy and enterprise he is expending on the annexation of Hawaii, he would carry a satisfactory financial measure. But how can we believe this, seeing that we elected this eminent citizen for the express purpose of reforming the currency, and that if he had not promised to reform it, he could not have been elected? "Oh, but he is leaving the whole matter to the wisdom of Congress," it is said. Then why does he not leave the annexation of Hawaii to the wisdom of Congress? Why is he so busy and earnest about that? He was not elected for that. No mention was made of it in that anxious summer of 1896. It was not in order to get Hawaii that tens of thousands of honest Democrats and of kicking, cantankerous Mugwumps fell into line and voted for the "Advance Agent of Prosperity." Most of these disbelieved in the possibility of restoring prosperity through Dingley's tariff, but they supported the Advance Agent just the same, being willing to let him have his tariff if he only gave them a stable standard of value. The conduct of the Agent, if it be really true that he is occupied by Hawaii, and cares nothing, or seems to care nothing, about the currency, is inexplicable in an honest man, and we know Mr. McKinley is honest because he is religious, and religion includes honesty. He cannot have pretended to care about the currency when he did not. If in Canton he were to betray the confidence of his neighbors in this way—that is, "swear to his own hurt and then change" (Ps. xv. 4)—there would be a terrible row. Nobody would pray for him when he went away. He would depart with his gripsack, unwept, unhonored, and unsung. But how is it any less disreputable to do so to a great party, numbering millions, concerning a great public interest? The Agent may depend upon it that when he comes to his final account, and is asked what he did to fulfil his vow and reform the currency, his exertions about Hawaii will not be accepted as a set-off. Nor will Dingley be able to help him, for Dingley himself will be keeping out of the way, lest he should be asked about the deficit or about the proceeds of the clothing clause.

The whole subject of the strength of the Hawaiian Republic seems to be enveloped in obscurity. We have been told, and have believed for a good while, that if we did not take Hawaii, it would be sure to transfer itself to Great Britain; that, for some mysterious reason, this strong and wise republic could not consent to exist any longer under American protection; that it must be annexed by some Power, but would prefer being annexed by the United States. This is what the eminent Hatch, the Hawaiian Minister in Washington, says, and no one will insinuate that Hatch says what he does not believe. We were settling down comfortably in this somewhat odd faith, when the President of the Republic, Mr. Dole, reached our shores. Of course he is, *ex officio*, a better authority about the views current among the Hawaiian people than the eminent Hatch. After his arrival, while standing beside a radiator in a Chicago hotel, he made several important statements. One was that Hawaii was not at present prepared to wage war with any great Power. This was made simply to show that if any great Power made an attempt to conquer the Republic, it could not resist without help from the United States. He then took up the question, What will happen to the Republic if the United States refuses to annex? The Bureau holds, and has always held, that it will then offer itself to any of the Powers which stand waiting to see what we are going to do about the matter. President Dole denies this. "If the Senate," said he, "refuses to adopt the treaty now before it, I suppose the Republic will go on as before." This admission was hard for Hatch to bear, but he bore it, merely shaking his head in sign of dissent. President Dole also admitted that "he could not say how many Hawaiians are for annexation, and how many are opposed to it." We thus see that as the Republic is able to stand alone, and to "go on as before," it would not be well to find out what proportion of the natives are in favor of annexation. What is the use of knowing? What have they got to do with it?

The gravity of Chairman Hitt's speech on the Cuban question in the House on January 19 lies as much in its implications as in what he explicitly said. He is at the head of the House committee on foreign affairs. He spoke after repeated consultations with the President, and distinctly foreshadowed the President's policy. When he affirmed that Mr. McKinley would "not disappoint the expectations of his countrymen," and set the galleries applauding this sentiment, he made it clear that the Administration contemplates intervention—forcible intervention, if need be—in Cuban affairs. Indeed, Mr. Hitt's speech was largely a glorification of the steps preliminary to intervention which the President had already taken. The actual communications of our Government to that of Spain have not yet been made public, but Mr. Hitt, who must have seen them, gave a summary of their contents. Mr. McKinley, he declared, had protested with emphasis and energy against Gen. Weyler's conduct of the war, and had secured his recall in disgrace. Furthermore (and this is now said for the first time by authority), he had "informed the Sagasta Government that the war must cease and proposals for settlement be made within a reasonable time." This is, of course, the baldest intervention, and plainly has the threat of force behind it. In fact, Mr. Hitt's whole argument against action by Congress was that it would be unwise to hamper the President in the action which he was preparing to take. Congress was to remember that there was "a faithful pilot at the helm," and was to be "patient and ready to support him if he takes the step which the honor and interests of our country may demand." If that does not signify that Mr. McKinley contemplates forcible intervention, and that speedily, words have no meaning.

The authorities at Washington naturally seek to minimize the importance of the dispatch of a war-ship to Havana. It is only an ordinary routine naval assignment, they say. But time and

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manner often make an ordinary thing extraordinary, and they seem to do so in this case. No American men-of-war have visited Havana for more than two years, and the reason has not been concealed. We wished not to offend Spanish sensibilities. We also wished not to provoke American inflammabilities. If the reason was good for two years, it ought to be good longer, unless some change has occurred in the situation, which is denied. What the step amounts to, therefore, is a willingness to disregard Spanish sensibilities and to risk the effect on American inflammabilities. What has moved the President to take the step? There is much guessing, but the strong probability is that he was told he had to do something to appease the Republicans in Congress. They have heroically consented to eat their own words of a year ago, and to go manfully into the "hole" which their own hands had digged, but they have not at all liked the operation, and very likely have notified Mr. McKinley that he must make haste to fulfil Mr. Hitt's prophecy that he would, in the Cuban matter, not disappoint the hopes of his countrymen. The open expressions of joy and relief uttered by Republican Congressmen when they heard of the sailing of the *Maine*, bear out this view. But they also contain a warning to the President. He must see that if he says A to the Jingoes, he must also say B, or, as one Senator expressed it, fill Havana harbor with war-ships. If the Spanish are excitable, what is our press, what are our Legislatures, our Congress? A war-ship is a curious kind of oil on troubled waters, though the Administration would have us believe the *Maine* to be about the most unctuously peaceful ship that ever sailed.

Mr. Dingley is terribly sarcastic at the expense of the "chatterers" about his beloved deficit. Customs revenues in January will be about double what they were in August; what have you got to say to that? Well, the obvious thing to say (which Mr. Dingley does not say) is that, double revenue or not, the deficit so far this month is more than $8,000,000, so far in the fiscal year more than $50,000,000. Now when we bear in mind that the tariff under which these glorious results have been obtained was passed in order to secure increased revenue "without delay, hindrance, or postponement," and that the tariff which it superseded showed a deficit in its last year only one-third as great as the Dingley deficit is in its first seven months, there seems to be still a good deal of chattering matter left. The way for Mr. Dingley to silence the chatterers is, not to bring out a fresh line of prophecies, but to produce his surplus revenue.

The people who expect any great falling off in immigration if the pending restriction bill shall become a law are destined to be disappointed. A record of the illiterates over fourteen years of age among those who arrived during the last year was kept, and the Commissioner-General reports that the number reached only 44,580. This included 1,572 who could read but not write, and the Spooner amendment would admit such. The total must also have included some thousands who would come within the excepted classes in the pending bill, as the illiterate wives or minor children, or parents or grandparents, of immigrants previously admitted. The "hordes" who are to be kept out by the educational test are thus reduced to pretty small proportions.

The Republicans who are fighting the Quay machine in Pennsylvania talk as though they "meant business." A conference of representative business men opposed to Quay rule in all parts of the State is to be held at Philadelphia on the 2d of February, and the leaders in the movement declare that they will then nominate a first-class man for Governor, whom they will support and whom Quay can support or not as he chooses. If this programme shall be carried out, Pennsylvania politics will be rendered extremely interesting this year. We observe, however, with some apprehension, that certain "conservative" members of the Business Men's League oppose the selection of a candidate who has been "aggressively antagonistic to Senator Quay," on the ground that the latter would not accept him as a compromise candidate, and that, if a split in the party should ensue, a Democrat might be elected, and the loss of the Governor to the Republican party would be blamed upon the League. For these reasons they are in favor of agreeing upon a candidate whom Senator Quay would be more likely to accept. If these "conservatives" get control of the conference, the anti-Quay movement in Pennsylvania will amount to no more than the anti-Platt movements in this State, which ended in agreeing to take candidates who suited the Boss.

The Croker Government is a good deal alarmed by the magnitude of its first budget for the administration of the city. Instead of being from $60,000,000 to $75,000,000, as was estimated before consolidation, the prospect now is that the appropriation for the first year will be nearer $100,000,000 than $75,000,000. The most portentous agent of increased expenditure seems to be the new borough system, which was looked upon during the charter agitation as one of the chief influences which were to transform human nature in this part of the world. Nearly all the department estimates which have been made thus far call for many hundred thousand dollars in addition to the combined sums expended by the separate divisions of the city before consolidation, because of the new machinery created by the boroughs. Thus, the Health Department must have about $350,000 more than previous Health Departments in the old divisions had, because of the new officials and higher salaries created, and the separate organizations required for the boroughs. The Park Board must have about $250,000 more than the separate Park Boards had last year, chiefly because of the expense of setting up separate "administrative authority in the Borough of the Bronx." The Bronx Commission not only must have a "staff of engineers" at $10,000 a year in salaries, but must have a borough building for them to meet in, and other necessary accompaniments. This is the way it goes all through the new system, and the only way in which the Mayor seems to be able to meet the rising tide of appropriation is to lose his temper and scold the persons who call attention to the charter's requirements.

There has been a struggle between the Mayor and the Council as to which should be permitted to exercise one of the most momentous of the features of the "larger measure of home rule" which the new charter bestows upon the city, and the Council has won. The Mayor, acting in accordance with the basic theory of his administration, to wit, that everything in the way of office or "plum" belongs to Mr. Croker, and should be dispensed in accordance with his personal wishes, caused an ordinance to be introduced in the Municipal Assembly giving him absolute control over the issuing of all licenses for street encumbrances, etc. The members of the Council took alarm when this first appeared, and sent a deputation to call on the Mayor with an ultimatum, which was, that they would not consent to the passage of the ordinance unless the Mayor would pledge himself to honor their recommendations in the exercise of his power over licenses. They demanded recognition, in other words, for all their men in the bestowal of licenses for newsstands and other privileges on the sidewalks of the city. The Mayor refused this, as he was bound to do, for it placed the wishes of the Councillors above those of the Boss. The Councillors have accordingly defeated his ordinance, and the distribution of licenses will be made on the broadest basis of home rule.

The sorrow and alarm which the Democrats of other boroughs than Manhattan are expressing over the conduct of Mayor Van Wyck in cutting off their share in the offices of the enlarged city are very moving. They did their utmost

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to put Tammany in possession, and now that they detect strong evidences of a purpose on Tammany's part to grab everything for itself, they feel hurt, and even begin to suspect that their innocence has been played upon. They go to the architects and defenders of the new charter, and ask them if the Mayor has any right to refuse to carry that sacred instrument into effect in every detail, giving to the outlying boroughs all the offices and emoluments which are granted by it to them. The renowned De Witt of the Borough of Brooklyn, who is one of the fathers of the charter, says in effect that the Mayor is "all wrong," that the "provisions of the charter are mandatory," that "no man is above the law," that "the charter provides the boroughs with certain administrative functions," and that "to deprive them of these would, of course, be an attempt to defeat the aims of the charter and be a violation of its provisions." That is unquestionably true. There is not a particle of doubt that the "aims of the charter" provide a great flood of offices and expenditures for all the boroughs. That is the reason why all the politicians of all the boroughs were so hot in favor of consolidation. For Tammany to say through its Mayor that the Borough of Manhattan shall have everything and the other boroughs as little as possible, is a breach of faith which ought to be denounced by every man who voted to put Tammany in power. The idea of Mayor Van Wyck saying that he was not going to be Mayor of five cities, but of one!

Now that Germany has promptly agreed, on the British demand, to open any Chinese ports she gets hold of to all the world for trade, one begins to wonder why Brother Henry was sent out. Henry's parting with his sacred brother led the world to believe that he was to have encounters with somebody, and hairbreadth escapes; but it now appears that his sole mission was to open ports, with the consent of everybody concerned, to the peaceful commerce of the world. In fact, it begins to look as if the whole affair was an attempt to bully England which was promptly nipped by Sir Michael Hicks-Beach's warlike speech. It looks, too, a little as if it was the prolonged gentleness and timidity of Lord Salisbury's policy which raised up so many enemies for England and created her much-talked-of "isolation." Sir Michael Hicks-Beach and Mr. Chamberlain have at last reached a comprehension, through the bye-elections, of the effect this policy is having on the public and of the disgust excited by "the Concert of the Powers." The "Powers" apparently used the "Concert" simply to humiliate England and make her feel helpless, and began to try to mine her colonial empire and block her channels of trade, as soon as they had got the Turk into a position to defy her. It is pleasant to find that merely showing her teeth has sufficed to keep the peace. Pleasanter than all, however, happier for man than any "Concert of the Powers," is the open declaration of the first of the sea Powers that she stands for open ports and for free trade. To be sure, it is for her own benefit, for she holds 80 per cent. of the China trade, but everybody is and will be at perfect liberty to take it from her if he can.

Mr. Chamberlain, whom Lord Farrer styles "one of the most powerful members of the [British] Government," having been beaten in his Zollverein scheme for the working of those "neglected estates," the colonies, has now propounded a plan for the relief of the West Indies. The first Conservative idea was to put a countervailing duty on foreign sugar—that is, the beet-sugar of France and Germany—the manufacture of which is promoted by bounties. A resolution recommending this was passed by a conference of Conservative delegates in November last. But this met with little favor, because there was no getting over the fact that duties on foreign sugar would increase the price of sugar to the Englishman, and the consumption of sugar by Englishmen is enormous. Mr. Chamberlain saw this, and has "gone them one better." He announced last week that the Chancellor of the Exchequer had consented to make a "very large grant in aid" to the West Indies "to enable the [sugar] industry and population to tide over a crisis, until Continental nations recognized the impolicy of the bounty system." This system of "grants in aid" is evidently to be, under Mr. Chamberlain's directing, the Conservative mode of getting round the popular hostility to protection. Finding there was no chance of the revival of a duty on corn, they made a remission of $12,500,000 in taxes to the landed interest. They have increased the grant in aid to the denominational schools, and we may be sure that, once the ball is set fairly rolling, grants in aid will multiply. There is nothing like the appetite of "interests" for grants in aid. These grants are simply another mode of giving the taxpayers' money to particular classes to help them to carry on business which does not pay. Instead of allowing them to take their stand at the ports and get their money out of duties, the Government takes the money out of the Treasury and gives it to them as a "bonus."

The fact is that, in the present state of the world, all industries are exposed to the vicissitudes which have been introduced by improvements in production, by the increased facilities of communication, and by the increased mobility of capital. Governments are everywhere being called to protect them against these vicissitudes—in other words, to prevent the operation, in their case, of the ordinary laws of trade. There is no proof that a grant in aid will set the West Indian islands on their legs. Their sugar would still have to compete with the sugar of India, of Queensland, of Mauritius, of Fiji, and elsewhere, all British possessions. If these countries find that the grant in aid enables the West Indies to take their market from them, they will have a still better claim to a slice of some kind of assistance from the British Treasury. Nothing has been made clearer by recent events than that sugar-growing is not the best industry for the West Indies to engage in. During the next few years, especially if Cuba should be pacified, the production of sugar elsewhere is likely to be greatly increased. The work before the West Indies is, therefore, not to stay in a losing business, by begging, but to find out in what industry it is that their soil, climate, and labor give them a clear advantage.

Whatever else the Paris rioting proves, or does not prove, it proves the mischief of secret trials. Suppose Jameson had been tried in England, as Dreyfus was in France, behind closed doors, and none of the evidence, only the verdict, given out? We might have seen in London such nervous excitement, fed on wild rumor, as Paris has been suffering from for the past week. The secrecy of the original Dreyfus trial was bad, and the semi-secrecy of the Esterhazy trial was worse. The public was permitted to know only of the evidence that looked black for Major Esterhazy; but the evidence on the strength of which he was acquitted and the guilt of Dreyfus practically reaffirmed, was kept secret. It is clear, however, that the case turns very largely on a question of handwriting, and the chances for deception in this are notoriously great. It must be said that some of the inferences of the French tribunal on this subject were uncommonly like the reasoning in the famous trial in 'Alice in Wonderland.' It will be remembered that there, too, a letter, containing a set of verses, was the chief thing:

"Are they in the prisoner's handwriting?" asked another of the jurymen.

"No, they're not," said the White Rabbit, "and that's the queerest thing about it." (The jury all looked puzzled.)

"He must have imitated somebody's else hand," said the King. (The jury all brightened up again).

"Please your Majesty," said the Knave, "I didn't write it, and they can't prove I did; there's no name signed at the end."

"If you didn't sign it," said the King, "that only makes the matter worse. You must have meant some mischief, or else you'd have signed your name like an honest man."

There was a general clapping of hands at this; it was the first really clever thing the King had said that day.

"That *proves* his guilt," said the Queen.

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THE PEDIGREE OF THE TELLER RESOLUTION.

Senator Vest, discussing last Thursday the Teller resolution which declares the public debt to be redeemable in silver, remarked that since the vote on a similar resolution, twenty years ago, "a new generation has come into existence and entered upon the active duties of life"; and he intimated that these younger citizens needed to have the past recalled to them. We agree with Mr. Vest that a useful purpose may be served by recalling to the minds of a younger generation, and perhaps of a forgetful older generation, the past history of this congressional resolution.

As the authors of the pending measure explain, it is virtually a verbatim copy of the resolution introduced by Senator Stanley Matthews, January 16, 1878. But in order to trace the Teller resolution's actual pedigree, we shall have to carry back the reader, not twenty years, but thirty. The bonds of the United States issued during the civil war were habitually made redeemable in coin; and for the express purpose of providing coin to meet the current interest, payment of customs dues was required in that form of money. In two or three of the early acts to authorize bond issues, the coin-redemption provision did not appear. This omission, as the Secretary of the Treasury observed in his report of 1864, "was accidental, as there could have been no intention to make a distinction between the different classes of securities in this regard." Such was the supposition at the time not only of the Secretary, but of everybody else.

But in 1868, seeking an "issue" under much the same circumstances and with much the same leadership as those of 1896, the Democratic party grasped at this omission in the bond statutes of the war, and boldly declared, in their Presidential platform, that "when the obligations of the Government do not expressly state upon their face, or the law under which they were issued does not provide, that they shall be paid in coin, they ought in right and in justice to be paid in the lawful money of the United States"—meaning by this, of course, in legal-tender notes. This resolution, we have no hesitation in affirming, is the true parent of the Teller resolution of 1898, as it was of the Matthews resolution of 1878. Indeed, this declaration of thirty years ago has much the same superficial argument to commend it to the shallow mind as is possessed by the more recent declaration for silver payment. Because the war bonds could not be sold at par for gold, the Government had consented to take notes for certain issues, and in other cases notes had been made explicitly convertible into bonds. Therefore, said the opposition statesmen of 1868, since the bonds were bought with legal tenders, let them be redeemed in legal tenders.

The proposition, thus submitted to the people, was made the pivot of a Presidential canvass. Before the campaign was half over, the common sense of the American voter had pierced the cloud of sophistry surrounding the argument, and had grasped the salient fact, which any intelligent citizen could understand, that because a nation had chosen to give its bonds for its notes, there was not the slightest honesty or propriety in assuming that the bonded debt was payable in notes. With equal propriety might an individual, after placing a mortgage to redeem his notes-of-hand, coolly propose to pay off the mortgage in new promises to pay. The people's opinion of this impudent proposition found expression, in the 1868 election, by an electoral vote of 214 to 80 against the plan, and an adverse popular majority of 309,000. The term repudiation, then and afterwards applied to this plan of shirking honest payment of the public debt, had for many years after the vote of 1868 so bitter a taste as to make revival of the plan impossible.

The refunding act of 1870 provided for a series of bond issues payable, interest and principal, in "coin." It is under the provisions of this law, supplemented by the resumption act of 1875, that all subsequent bond issues of our Government have been made. But when this law was passed, in 1870, the only coin in circulation, outside the fractional issues, was gold. Dr. Linderman's Mint Report of 1870 showed that since the foundation of the Government only 4,291,640 silver dollars had been coined, and that of these 2,320,000 had been coined before the middle of the century. Up to and long after 1870, all our silver was exported; the suggestion that the public debt might be redeemed in silver would have been dismissed in that year as simply silly. But after 1874, when the enormously rich Nevada silver mines were opened up, came a sudden decline in the market price of silver. Before 1878 the metal reached a price which made the 412½ grains of the former silver dollar worth on the bullion market less than one hundred cents.

Here was an inducement which brought simultaneously upon the scene the silver free-coinage agitators and the old repudiation leaders. Thinking that 1868 must by this time be forgotten, the repudiators introduced in January, 1878, the famous Matthews resolution, of which Mr. Teller's pending declaration is a duplicate. The case was as clear against the dishonest plan in 1878 as it had been in 1868. Indeed, there was in the later year an element of the ridiculous; for the Bland bill had not passed when Senator Matthews forced his measure to a vote, and yet the "bond resolution" calmly declared that, in the judgment of Congress, it was right and proper to pay the public debt in a coin which not only did not exist except on paper when the funding act was passed, but which in 1878 did not yet exist even on paper. This extraordinary declaration Mr. Matthews and his friends so framed as to cover not only future bond issues, but the large issues placed by the Government between 1870 and 1878, for which gold had been required and received by the Treasury. The Matthews resolution passed both houses of Congress, and there it rested as an empty expression of the crude opinion of a single Congress—an opinion which Mr. Hayes and his Treasury administration were wholly at liberty to disregard. They did thus disregard it.

This second repudiation movement reckoned confidently that in a year of almost unparalleled industrial distress the people's angry discontent would applaud any such piece of sharp practice with the public creditor. Its authors reckoned, too, that if the Hayes Administration ignored the resolution, there would at any rate be cast in the congressional elections a heavy anti-Administration vote, based on the disputed title of 1876, and that the silver legislators might claim such a vote as their personal vindication. In both regards they reckoned without their host, and met the same fate as the political calculators of 1868. The sound common sense of the American voter again grasped the real facts in the controversy, and the outcome, in November, 1878, was in effect a sweeping victory, in the face of all these odds, for the anti-repudiation President and cabinet. The blow was stinging and severe enough to bury the Matthews resolution and its principles for twenty years.

But now at length Senator Teller, in his excursions through the political graveyards of American history, has dug up this mouldy corpse and thrust it before the faces of a new generation. Not a single new argument in its favor is adduced; the Senate finance committee's silver majority has not even had the wit to change the language which the people flatly rebuked in 1878. The only novelty in this clumsy congressional performance is the fact that the resolution now applies as well to $262,000,000 bonds sold in good faith for gold since 1893. The proposed repudiation is a little more sweeping in its scope than it was in 1878; this is the only difference. It is proposed with a House of Representatives as certainly against the scheme as it was in favor of it during 1878, and with a people educated by a recent anti-silver Presidential canvass, as they certainly were not twenty years ago. What kind of politics this is, even from the point of view of an inveterate repudiationist, we find it hard to say.

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MORE BUREAU.

The latest thesis of the Hawaiian Literary Bureau is that Hawaii would be a good place to fight in. The argument that if we got Hawaii as a place to fight in, we should have to have a fleet and fortifications to protect it, is met by the following piece of ratiocination, the massive strength of which we admit is discouraging:

"But there are some who argue that the possession of the islands would be a source of weakness to this country, because it would have to maintain fortifications and garrisons and a fleet there to protect them, and thus would have to divide its forces, instead of concentrating them all for continental defence. Yes. It is a pity, then, that we ever annexed California and Oregon, since that gave us two coast-lines to defend instead of one, and compelled us to divide our forces, instead of concentrating them all upon the Atlantic Coast. Perhaps it would be well to relinquish the coast altogether and be content with an exclusively inland domain. Then we should not have to maintain any navy or any coast defences at all. In fact, it might be the part of wisdom to abandon the whole country to some other Power. Then we should not have even to keep up a police force. But somehow or other such reasoning does not greatly commend itself to the average American mind. Perhaps because we are a stiff-necked and perverse generation."

It would seem, then, that if you cannot sally out and take something that does not belong to you 2,000 miles away, there is no use in holding or defending your own home occupied by your own family. The *reductio ad absurdum*, that, by parity of reasoning, if you cannot seize your neighbor's house, you might as well abandon your own, has a crushing effect. There is absolutely no answer to it. If you take your neighbor's property and cannot keep it by force, what is the use of keeping or defending your own? If you cannot take an island in the Pacific from its people against their will, why should you want to keep this continent? We really do not know.

The Bureau also has got the help of Mr. Frederick W. Seward, and prints a letter from him which it evidently thinks important, judging by the type. We have always considered Mr. Seward a quiet, conservative gentleman, but the Bureau has suddenly converted him into a sort of Genghis Khan, in favor, like Genghis, of indefinite expansion, right or wrong, moral or immoral—you-shut-up-and-get-out-of-the-way sort of man. He does not go quite so far as the Bureau, by showing that, if we do not take Hawaii, strict logic requires us to abandon the continent of North America, but he shows that every one who has ever opposed any sort of annexation has languished the remainder of his days in obscurity and disgrace. All this apropos of "the Louisiana purchase, the Florida cession, the Gadsden purchase, and the California acquisition," and the Alaska purchase. But, putting aside the fact that these acquisitions were large tracts of uninhabited territory on our own continent, which we desired to settle, and did settle, with our own population, let us remind Mr. Seward of something really parallel to the proposed annexation of Hawaii. Has he not heard of the attempts to acquire San Domingo and St. Thomas? These attempts were pushed by the very same arguments as are now used to push the annexation of Hawaii—naval station, coaling station, commercial and military "key," other Powers waiting to purchase or seize, British agents intriguing, "people" eager to join us, and so on. Yet these attempts did not succeed, and the men who opposed them—including Sumner, Morrill, Edmunds, Schurz, Bayard—did not sink into either oblivion or ignominy.

Now, the bulk of sensible, sober Americans are glad these attempts did not succeed. We know several who were energetic and active in their opposition to them. Not one thinks this opposition was "the greatest mistake of his life." Not one is looked on as "a man who tried and failed to bar the national progress." On the contrary, they are well and hearty, and absolutely court publicity as men proud of having prevented the republic from making the hideous mistake of purchasing islands inhabited by a mongrel race unused to constitutional government, and quite used to assassination, revolutions, earthquakes, and hurricanes. They felt that besides the damage to our governmental system and national credit which would be wrought by having politicians keeping the admission of such communities as equal sovereign States constantly hanging over our heads, by having our newspapers filled every day with accounts of the fresh scandals created by the operations of the carpet-baggers among the negroes, the dagoes, the coolies, and so on, there would be the gross abuse of using the taxes to protect acquisitions which neither strengthen union, "nor establish justice, nor insure domestic tranquillity, nor provide for the common defence, nor promote the general welfare, nor secure the blessings of liberty to ourselves and our posterity."

Genghis Khan's position was, in fact, far more defensible than ours, as an expander. He was in favor of expansion because, as he openly avowed, he liked the fun of expanding. He enjoyed killing people who resisted annexation and piling their heads up in pyramidal form. He indulged in no hypocritical pretences about their wanting to be annexed, or about the good annexation would do them. He just annexed. He had no "instinctive pride" in expansion, and did not care a cent about "growing greatness." But he was a sterner logician than any of the dialecticians of the Bureau. He had a way of silencing opponents vastly more effective than theirs. No man who faced him in argument is known ever to have been heard of again. He did not even linger in obscurity.

RESPONSIBILITY.

Gov. Black is being rightly warned of the "responsibility" he is incurring in providing simply for an investigation of his own into the canal scandal, and putting off any report on it till next year. Appeals and invectives are both being lavished upon him, to get him to be careful of what he is about, and vague threats are made of what will happen if he does the wrong thing. Well, in our belief, he knows better what he is about than his critics. The remonstrances addressed to him are interesting illustrations of the way in which, in politics, a nomenclature may survive after the things to which it was originally applied have disappeared. For instance, under the old government of New York, such things as the canal scandal would have lain entirely within the province of the Legislature. It is the Legislature which would have been indignant about it, which would have inquired into it, would have settled by whom the inquiry should be conducted, to whom and when the report should be made, and what action should be taken about it. The Governor would simply have called attention to it, and have made recommendations about it, but the Legislature would have considered his recommendations, and, in its wisdom or discretion, have accepted or rejected them.

Under the present government, the Legislature seems to have nothing, or very little, to do with the matter. The Governor has apparently complete control of it. It is he who decides whether it shall be inquired into, who shall inquire into it, and when and to whom the report shall be made. All the remonstrances addressed to him about it imply that it is his will which will rule, and not that of the Legislature. The rôle of the Legislature has, in fact, for some time been covertly that of the Parlement of Paris under Louis XIV., that of a body which simply registers edicts. There is, however, no longer any concealment about the matter, or necessity for concealment. The Governor is openly treated as the only person whose opinion as to the action of the State Government about the canals need be discussed. This is really an immense change in our system. It is nearly as great a change in the State as the Croker régime in the city, but it is disguised by the continued use of the old terms and forms.

The Governor is warned, however, that if he does wrong or makes a mistake, he will be "called to account"; he will be "held responsible." Disagreeable questions will be asked of him. The People will be angry. Something unpleasant will happen to him. Here again the whole situation is disguised by the use of the old nomenclature. We get no clear idea who will call the Governor to account, or in what manner he will

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suffer, if he does not do his duty. He, however, knows perfectly well. What will happen will be simply what happened to Hill in 1894. He will be beaten at the polls by another Governor of exactly the same type and the same notions of expediency and responsibility. There will be no change whatever in the system. Croker will take Platt's place, and things will go on as before. The Legislature will be called "Democratic" instead of "Republican," but this will be the only difference. It will be composed of the same sort of men as this one, but more of them will be Irishmen. It will have the same ideas of duty, honor, patriotism, and expediency. It will be somewhat more hostile to our civilization, and more indifferent, if possible, to the fate of our democratic experiment, than this one. But this is all. The one relic of our old government we have preserved in the State is the power of punishing wrongdoers at the polls; but the power of mending the wrongdoing or preventing its repetition we have apparently lost.

How has this come about? Simply through our nominating system. The mind of the nation has been devoted for half a century to the task, not of selecting proper persons for our public offices, but of creating machinery for selecting them. We have acted as if the chief end of the American man was, not to fill offices fitly, but to get them filled; as if the greatest work of government was, not to secure competent candidates, but to secure candidates. The result is that the nominating system has grown to be a bigger and more important thing than our government itself, so that the man who gets hold of it becomes, *ex officio*, Governor. The Legislature becomes merely the recorder of his edicts. Gov. Black is not responsible to the people in any sense which makes his responsibility of any use to the people. He is only nominally responsible to the people. If we punish him, we simply make his punishment a reward for another man exactly like him, and he may make terms with this other man for shares in this reward. It is all very much as if a family were to be so much occupied in deciding what shoemaker they would employ, and thought the selection of such importance, that they never got time to leave their measure with any one, and went barefoot.

Under these circumstances, the continued devotion of so many people to the "primary"—that is, to the comparatively insignificant task of saying who shall run for the governorship or the Legislature—is something very odd. It is all the odder because the primary has shown an irresistible tendency to decline in efficiency as the work of nomination has become more important. We have had primaries for fifty years, and for fifty years the quality of the men they have selected for office has been slowly but steadily running down. Attempts to reform have come only when primaries at last actually ceased to do any work at all and turned their function over to a man not elected at all. If any criticism on the work of the convention for primary reform now in session were called for, it would be criticism of the continuance of the work of "keeping the party together" by organization and rules and regulations—as if, in short, the creation of a huge nominating machine were more important than the quality of the men nominated. What is most important in our politics is the free and untrammelled expression of the opinion of the citizen, both about measures and about men. Any nominating system, though it were sticking a card in his window, which makes this easy and convenient, is good. Any observer of American politics to-day who knew nothing of our history might readily conclude that we cared nothing about the character of our public officers or the administration of our laws, as long as we were allowed the privilege of nominating them if we chose to exercise it; and that generally we did not choose.

NEWSPAPERS AND LIBEL.

The subject of newspaper libel suits is attracting as much attention in England as it is in this country, and for much the same reasons. We cited a few weeks ago some excellent observations which the Lord Chief Justice of England made in dismissing several newspaper suits which he fitly styled "trumpery." In a recent issue of the London *Daily News* we find a statement that at a newly opened sitting of the Queen's Bench Division the list of cases contained thirty actions for libel, mostly against newspapers, and in commenting upon these the editor says: "We know nothing about their merits; but of libel actions in the past, a considerable proportion have been got up by a low type of solicitor for the purpose of obtaining costs." We have the same variety of solicitor here, but his object in working up suits is not costs, but a verdict for damages in which he is to go halves.

The burdens imposed upon litigants are not nearly as great in this country as they are in England, and unless a court here grants the successful party to a suit what is known as an extra allowance, the costs in an action for libel are not likely to exceed $200 or $300 at the utmost on either side. Then, too, there is a limit to the amount of costs which a successful plaintiff may recover which is very annoying to the American "low type of solicitor." If the verdict in favor of his client be less than $50 damages, he can recover costs only equal to the amount of the verdict. When, therefore, a suit for $10,000 or $20,000, as the case may be, has been brought against a newspaper, and has resulted in a verdict for the plaintiff of six cents damages, all that the lawyer who has worked it up can get out of it in the way of costs is six cents. The invariable effect of a verdict of this kind in the past has been the prompt discontinuance of many other suits brought with a similar hope of mutual profits.

The English newspapers have no such protection as this, for they are liable to very heavy losses through the recovery of costs. If the plaintiff wins, the newspaper, being able, is compelled to pay the costs in full; but if the defendant wins, it often happens that the plaintiff is impecunious and unable to pay a penny of costs. His solicitor, like his American prototype, then fails to gain anything by his enterprise, since he undertook the suit on speculation. In other words, the English newspaper loses heavily, no matter in which way the suit against it may go.

It is not surprising that under such conditions the English press is urging a less stringent law of libel. In fact, agitation in this direction has been in progress for several years, and a bill which has been before Parliament since 1891 has been brought in again this year. This bill possesses several features that are of interest to us; and our libel lawmakers, including Senator Ellsworth, whose antics upon the subject are too grotesque for serious consideration, would do well to consider them. The English bill, which is supported by members of all political parties, provides in the first place that particulars of the libel or libels, with dates, must be endorsed on the writs. This is to give the defendants an opportunity of at once apologizing or paying money into court, without waiting for the next stage, which would be the statement of the claim. It is estimated in London that this provision would reduce the costs about 70 per cent. The second clause allows alternative pleadings, which are forbidden at present. As the *Daily News* says, under the present law, the "proprietor of a newspaper may not say, 'I deny that this is a libel, but if it be one, forty shillings are ample compensation.' Where is the justice of such a rule? A libel may be true, and yet the truth may be extremely difficult to prove. If the libel be a really bad one, so much the worse for the defendant. But if it be trivial, a small payment should suffice even though the alleged facts cannot be indisputably established." In this country the defendant may plead mitigating circumstances, notwithstanding he has pleaded, or attempted to prove, a justification.

A common peril to newspapers on both sides of the Atlantic lies in the publication of news matter from the regular news associations or agencies. A case which the *Daily News* cites could be

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paralleled easily with many similar ones in this country. A solicitor was struck off the Rolls by the High Court of Justice for fraud. His name was read out in court. The reporter of a news agency supplied the address from a Law List. But unfortunately it was the address of another and perfectly innocent solicitor with the same name. To an action of libel in such circumstances there could of course be no defence, and it was right that the aggrieved person should receive reasonable damages. But the libel had been published in twenty newspapers, and the plaintiff proceeded to sue them one by one. The law furnishes a partial remedy for this situation by enabling the newspapers to unite in a joint defence, but this can be rendered useless by the plaintiff if he shall bring his suits one after another, instead of simultaneously. One English solicitor kept a libel in use in this way for three years, never bringing in a new action till an old one had been concluded. The new bill gives a judge power to direct in all such cases of simultaneous libel in several newspapers, that all actions in respect to it must be brought within a specified period.

Another clause of the bill provides that in all cases in which the court is satisfied that the plaintiff is a bankrupt, or will be unable to pay costs in case of losing his suit, it shall issue an order staying all proceedings unless within a specified time the plaintiff can give satisfactory security for such costs. A similar provision is not so necessary in this country as it is in England, because, as we have said, the burden of costs is much lighter here, but at the same time some provision which shall prevent bankrupts and other impecunious persons without character from bringing frivolous suits at the instigation of speculative lawyers would be a great aid to the newspapers, and spare them many thousands of dollars in annual expenditure for suits which never ought to be given standing in court.

ROSSETTI AND MILLAIS.—I.

LONDON, January 3, 1898.

We have heard only too much about the Pre-Raphaelites of late years. Those who knew them best have been at such pains to unload upon the general public all the facts and gossip of their private careers that the very man in the street could pass an examination in the story of their iniquities and weaknesses, their finances and friendships. Indeed, so great has been the attention paid to matters, surely, concerning no one but themselves, that we run the risk of forgetting that they could paint, among their other occupations and amusements, and that their pictures, as well as their old scandals and romances, have survived them.

Just at this juncture, fortunately, the two large exhibitions of the London winter are devoted chiefly to the two masters, the greatest exponents, each in his way, of the Brotherhood. The Royal Academy, according to its announcement of last year, at the time of the Leighton show, has got together a fairly complete collection of the work of Millais. The New Gallery, though it attempts feebly to take over the duty of exhibiting the old masters relinquished by the Academy because art would not pay—a curious comment from a body that includes Mr. Sargent and Mr. Abbey among its members—would prove of no particular interest were it not for the room full of drawings and paintings by Rossetti, interesting in themselves, and doubly so exhibited at this appropriate moment. The series does not pretend to be exhaustive, as is the case with Millais, but it is delightfully representative, and has further the advantage of including nothing that should have been omitted for the sake of Rossetti's reputation; while, at the Academy, it would have been kinder to the memory of Millais had at least two-thirds of the pictures never been hung.

I do not mean that every Rossetti in the gallery is a masterpiece; that could not well be possible, since Rossetti's masterpieces were so very few in proportion to the amount of work he produced. But there is not one that does not reveal the artist, not one that does not give a clue to his overwhelming personality, not one that does not help you to understand the passionate love for beauty of color and form and line that was ever his inspiration—when he failed most signally no less than on those rare occasions when he came as near realizing his ideals on paper or canvas as an artist can. The series covers the years from his "Girlhood of Virgin Mary," his first oil painting, to several of his latest, "La Donna della Finestra," the "Blessed Damozel," the "Vision of Fiammetta;" from his studies for the illustrations to Allingham's 'Music Master' and his own 'Italian Poets' to the large crayon drawings, I believe with Mrs. Morris and Mrs. Stillman as models for the pictures of the "Proserpine" and "Pandora" type.

In the thirty or more years that elapsed from the first to the last he had time to change, modify, and develop his methods. In the "Girlhood of Virgin Mary" it comes as a surprise to find a cool, pale color-scheme, at variance with the more sumptuous harmonies his name now suggests, and there is an unaccustomed touch of naïveté in the funny little Holy Ghost perched in a halo overlooking the Virgin as she meekly embroiders her lilies, and the Mother who watches by her side; an unaccustomed breadth in the treatment of the peaceful landscape beyond, with its quiet waters and great stretch of green country sweeping away to the far blue hills. It is really a wonderful performance for a mere youth, and you can sympathize with his pleasure when he saw it again, almost twenty years afterwards. "I can look at it a long way off now, as the work of quite another 'critter,'" he wrote to a friend, "and find it to be a long way better than I thought." In the water-colors that followed, there is more of an effort to give rich, gem-like hits of color, to make of the composition a decorative arrangement; as in the black-and-white drawings, the design fills the given space with amazing ingenuity—is well "packed," as it is sometimes put. At his best, the result is an exquisite piece of decoration, as in the "Lucrezia Borgia," the "Paolo and Francesca," the "Sir Galahad, Sir Bors, and Sir Percival fed by the Sangreal," and a dozen others.

But Rossetti was not always at his best, and when, in another room of the New Gallery, your eyes happen to fall on a little picture of "Francis I. and Marguerite of Valois," you are forced to admit that a painter like Bonington brought to his work as fine a feeling for color as Rossetti, and produced his effects with a technical accomplishment Rossetti could never rival. In the same way, a drawing in grisaille of the "Procession to Calvary," by Dürer, in a third room, serves as a reminder that in the decorative fitting-in of the figures in a composition the Pre-Raphaelites, strive as they might and did, never approached the earlier masters of the art. In his larger paintings Rossetti seems carried away by such a passion for color that he would have outdone the Venetians in gorgeousness had he but shared their command of palette and brush, while chance lent him for models two women of a strange luxuriant beauty that, reproduced on canvas, suggested probably far more mystical and esoteric meaning than had ever entered into his original conception. The way he chose his titles shows that much of the symbolism with which his admirers are so impressed meant nothing in particular. One memorable remark of his is an excellent antidote to the insufferable rubbish written about him. He was painting a picture at Kelmscott, and of this he said, as he might have said of many besides, "I have painted the better part of a little picture, but don't know who is to buy it. I can't be bothered to stick idle names on things now—a head is a head; and fools won't buy heads on that footing." But in all these paintings, water-color, pen, pencil, and crayon drawings, differ as they may in medium, method, and quality, you are always conscious of the artist, the poet, at work, but struggling most of the time with a form of expression he had not mastered. He was never at home with paint as with words, and this is the reason why the picture often is better expressed in the lines he left on a margin or a frame. He was haunted by the beauty of color and form, but his accomplishment fell so far short of his intention that to feel his charm, as I have heard it said, it is best to be away from his pictures; to remember, not to see them. Take a picture like the "Vision of Fiammetta," now in the New Gallery—the large, enigmatic woman in flame-colored draperies, with the apple-blossoms trailing their white and rose glory about her—as it pales and grows dim in memory, or as one looks at it through his sonnet, it may come to seem as splendid in color as a Titian, as full of strange, mystic fancies as a Botticelli was to Pater. But in the painting itself, the plain truth is that the color is hot and unpleasant, the figure hard and wooden, the drawing absurd, and the flowers positively offensive in their metallic glitter. Indeed, in almost all the large pictures now exhibited, you are struck but with the unsuccessful effort to do that which was done really incomparably well in the "Mariana," only less well in the "Lilith" and the "Blessed Damozel." In the "Mariana" you have the warmth and richness and splendor that you are sure Rossetti was for ever striving after, the loveliness in the pose of the languid figure and the flow of her ample blue draperies, the exquisiteness in the embroidery

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slipping between her idle fingers. Rossetti never painted a more beautiful picture.

I have not attempted anything like a list of the work exhibited, but a few drawings and pictures that have special associations to add to their importance ought to be mentioned. These are his portraits of himself, his mother, and sister, of Ford Madox Brown, above all of Mr. Swinburne, with a pallid face and masses of red hair, which the decadent youths of to-day would give worlds to emulate. Then there are two elaborate, primitive, and fine pen-drawings, inscribed to "Frederic G. Stephens, from his P. R. brother, Dante G. Rossetti," the words varying slightly in the two. It is also amusing to see the original design for the illustration to Allingham's 'Music Master,' about which Rossetti had so very much to say in his letters to Allingham, edited by Dr. Birkbeck Hill for the *Atlantic Monthly*. In these letters one reads how a drawing for it was finished on the block and then discarded, so that it is no surprise to find the first sketch absolutely unlike the published version. Amusing, too, is a remarkable picture of "Queen Guinevere," by William Morris, stated in the catalogue to be the only painting by him. But this can hardly be true. There is reference to another and altogether different picture in a letter of Rossetti's to William Bell Scott. Morris, it says—it was in the summer of 1857—"is now busily painting his first picture, 'Sir Tristram after his Illness in the Garden of King Mark's Palace, recognized by the Dog he had given to Yseult,' from the Morte d'Arthur. It is being done all from nature of course, and I believe will turn out capitally." This helps to explain the distinction of the "Queen Guinevere," for it is not easy to conceive that such good work ever was done in a first and only attempt. In some ways, in the swing and movement of the pose especially, it is far more distinguished than anything I have seen of Rossetti's; it recalls really the grace and elegance of Millais's "Mariana," while the painting of the books, the draperies, and all the accessories is masterly. One ends by wondering if Morris was entirely responsible for any part of it except the face and hands, which are black and dirty. N. N.

THE PAINTINGS AT CHANTILLY.—II.

PARIS, January 12, 1898.

Mignard is represented at Chantilly not merely by the great allegorical picture "Condé's Repentance"; M. Gruyer attributes to him also a portrait of Cardinal Mazarin, which has sometimes been erroneously attributed to Philippe de Champaigne; a portrait of Henrietta, Duchess of Orleans, the youngest daughter of Charles I. and of Henrietta of France; portraits of Louis XIV., of his brother, the Duke of Orleans; of Marie of Bavaria, mother of the Duke of Burgundy; of Henriette de Coligny, Countess de la Suze, who was first married to Thomas Hamilton. The Countess de la Suze was granddaughter of the great Admiral Coligny. She turned Catholic in order to get separated from her husband, who was a drunkard, and whom she detested. Her salon rivalled that of Rambouillet. She was a poetess, and wrote elegies which Boileau pronounced to be "of an infinite charm"—a judgment which has not been ratified by posterity.

The famous Vanloo is represented at Chantilly by a portrait of Thomas Corneille, brother of the illustrious Pierre Corneille. There is not much to say about a few portraits by Lebrun, Sebastien Bourdon, Claude Lefebvre, a pupil of Le Sueur and of Lebrun. Nattier deserves fuller attention; it was probably at Chantilly itself that he made a charming portrait of Mademoiselle de Nantes, daughter of Louis XIV. and of Madame de Montespan, just after her marriage with the grandson of the great Condé. The new Duchess of Bourbon was only seventeen years old; she is represented as a goddess, with a golden sickle in her hand, with light draperies, half-naked limbs, sandals tied with golden strings, a red drapery round her. Saint-Simon describes her as a very fascinating beauty. "Louis XIV.," says M. Gruyer, "gave her something of his majesty, and Madame de Montespan something of her very peculiar beauty."

Largillière, born in 1656, and deceased in 1746, occupies a very commanding place among the painters of the French school. We find at Chantilly a beautiful portrait made by him of the famous tragic actress, Mlle. Duclos. She is represented in "Ariane," a tragedy by Thomas Corneille, at the culminating moment of the dramatic action, when *Ariadne*, in love with *Thescus*, sees her own sister, *Phædra*, conquering the ungrateful and capricious hero. She is dressed in the style of the end of the reign of Louis XIV. We recognize the masterful art of Largillière also in a portrait presumably of Marie de Laubespine, wife of Lambert de Thorigny. There is, again, an excellent portrait by Largillière of an unknown gentleman, "one of the finest," says M. Gruyer, "of this painter's works." This picture was in the collection of the Palais Bourbon, and it is to be supposed that the personage was one of the familiar friends of the house; yet it is impossible to give a name to it with any certainty. "This brilliant picture, nevertheless, belongs to the seventeenth century—the solemn wig, architectural, orderly, belongs to Versailles; at the same time the picture has already something of the charm of free and independent life which is to characterize a new age. The time is already past of the Lebruns and Mignards. A new art begins, free and unrestrained, suitable to the gayeties of the French character, relieved of the solemnities of the *grand siècle*. Between the seventeenth and the eighteenth centuries Largillière has thrown a bridge of marvellous construction."

Hyacinthe Rigaud (born in 1659, died in 1743) may be said to belong more to the seventeenth than to the eighteenth century. The galleries of Chantilly show us some of his solemn, pompous, and theatrical pictures—a reduction made by him of his celebrated portrait of Louis XIV., which was executed for Philip V., King of Spain, and which can be admired now at the Louvre, and a life-size portrait of Louis XV. Rigaud had several copies made of this official portrait of the King, who is represented with all the attributes of royalty, in the grace of his adolescence. The original is at the Museum of Versailles. Chantilly has only a copy, but it is of a very good quality, and was probably retouched by the great master. We see also at Chantilly, from the hand of Rigaud, a portrait of Armand-Jean de Boutheiller de Rancé, Abbé of La Trappe, and a presumed portrait of the architect Mansart. M. Gruyer gives no special attribution to several portraits of the school of the second half of the seventeenth century, among which are some very interesting ones, such as the portrait of the Count of Toulouse, a very handsome youth, in the costume of *novice du Saint-Esprit*.

The great gallery at Chantilly which goes under the name of "Galerie des Batailles," forms a part of the old château. It has six large windows opening on the lawn and the forest; on the wall opposite these windows are great mirrors, and between the mirrors are painted on panels the battles fought by the great Condé. There are other panels between the windows also covered with pictures; eleven of them were painted by Sauveur le Conte, one by Michel Corneille. From an artistic point of view the pictures of Sauveur le Conte are of secondary interest; from an historical point of view they may be said to have the place of honor in the house of Condé. On each panel there is a principal subject and beside it several complementary subjects; in all there are as many as seventy-two pictures which narrate, so to speak, the whole life of Condé. It was very interesting to listen to the historian of Condé, conducting his guests in this magnificent gallery, narrating before many of them incidents in the life of the hero, which he had studied in the most minute details, showing with pride on the chimney (which is in the centre of the gallery) one of the flags of the Spanish regiment beaten at Rocroy, torn and full of glorious holes.

When we enter upon the eighteenth century, we find first the pictures of Jean-François de Troy (who lived from 1679 to 1752). His "Déjeuner d'huitres" is a very striking scene; among the personages who partake of this very gay oyster-breakfast there is probably some member of the royal family, and the colors of the liveries of the servants make us think that the breakfast took place in the Palais Royal. All the faces are portraits; the Duke d'Aumale heard his father give the names, but he was too young to remember them. Watteau is represented at Chantilly by four charming little pictures: "Love Disarmed," "Pastoral Delights," "The Serenader," "The Uneasy Lover." These pictures, especially the two last, are among the most brilliant and clever compositions of this master, who has only in our time acquired the great reputation which he deserves from the grace and freedom of his manner and the singular beauty of his light and transparent coloring.

There are two rooms at Chantilly which are called the "Singeries"—one of large and one of small dimensions. Monkeys dressed in various costumes have the principal part in the decorations which cover the panels, and which are caricatures, alluding to the various occupations of the inhabitants of the château, hunting, fishing, etc. These curious pictures, surrounded with ornaments—attributes of all sorts—produce a charming effect, together with their gilt frames in the style of the time. Goncourt attributed the Singeries to Watteau. "I find," says he, "in these arabesques the characteristics of the arabesques created by Watteau. I see in them his light decoration, a little thin, and traced, so to speak, with the end of a pen, his shower of little objects, his way of associating and grouping the attributes of war and of pastoral life. I recognize his lambrequins, his cameos, his fruit, his foliage, his trellises," etc. M. Gruyer gives his reasons for attributing the Singeries to the

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painter Huet; they have also sometimes been attributed to Gillot, the master of Watteau.

Among the most agreeable portraits in the Chantilly collection are those of the second Nattier (born in 1685, died in 1766). He was well called by a poet of his time "the painter of beauty." He found an admirable model in Mademoiselle de Clermont, daughter of the Prince de Condé who married Mademoiselle de Nantes. She is represented as the nymph of the mineral waters of Chantilly; in the background is the pavilion of Sylvia, where there is still a spring which is said to have curative properties. The famous Venetian painter Rosalba also made a portrait of Mademoiselle de Clermont, which is in one of the rooms of the château. The mythological portrait by Jean-Marc Nattier is in the great galleries. Nattier made also a charming mythological portrait of Louise-Henriette de Bourbon-Conti, who became Duchess of Orleans; it too is in the great galleries. The Duchess is represented as Hebe, with an eagle at her side. We further meet with a Princess de Condé (born Rohan-Soubise) by this painter.

Lancret (born in 1690, died in 1743) has a very important picture, known under the name of the "Déjeuner au jambon." Several gentlemen and a lady are breakfasting in the open air, in a fine park; the breakfast is very gay, as is shown by the disorder of the table and the attitudes of the guests. The name of Subleyras is almost forgotten in France; he remained in Rome all the active part of his life. We find at Chantilly one of his best pictures, a portrait of Lambertini, who was Pope under the name of Benedict XIV., and to whom Voltaire dedicated his tragedy of "Mahomet."

Duplessis (born in 1725, died in 1802) was not a great painter, but his portraits are curious historical documents, and have some merit. A certain importance must be attached to his Duchess de Chartres in view of the ship *Saint-Esprit*, which bore the Duke de Chartres into the naval engagement of Ouessant. We see the ship in the distance; the Duchess, who is admirably coiffed, is reclining on the seashore against a rock; she has dropped a novel which she was reading; her pretty feet are bare, and are shown under her beautiful white satin gown. She has engraved on the rock some sentimental lines expressing her grief at the departure of her husband. The picture is very characteristic of the spirit of the times; everything in it is false and yet agreeable. The sea is smooth; the Duchess is posed on the shore as she might be in a boudoir; her thoughts are less on her husband than on her coiffure and her dress. We cannot help thinking, before this portrait, of the contrast between the happy times in which it was made and the troubled years which followed. Duplessis painted the Duchess de Chartres when she was twenty-five years old. Her marriage was not happy; she was imprisoned during the Terror, proscribed, and conducted to Spain; she died in France in 1821, leaving only a son and a daughter. Her son, the Duke d'Orléans, became in 1830 Louis Philippe; her daughter never married, and was known as Madame Adélaïde. Two other portraits by Duplessis exist at Chantilly—one of the Count de Provence, who became Louis XVIII., an excellent portrait, full of life, and a portrait of the Count d'Angiviller, a mere sketch (the great portrait of M. d'Angiviller, Comptroller of the King's palaces, is in the Museum of Versailles).

Correspondence.

FAULTY ADMINISTRATION AT THE LIBRARY OF CONGRESS.

To the Editor of The Nation:

Sir: Reports from scholars in Washington who are using the books of the Library of Congress in its new house indicate that the system of library administration is not working smoothly. It seems to require something more than half an hour for the untrained assistants to decide that the Library does *not* possess a special volume—one of a long series of publications of the Transactions of a famous European Academy, for example. A special edition (that of 1846) of the works of a world-renowned philosopher was asked for. On a first visit the edition of 1884 was produced at the end of twenty minutes' search, and the report made that the edition of 1846 was not in the Library. Accordingly, a copy of a few paragraphs was made from this edition and the book returned. On a second visit it was desired to verify an extract, and the edition of 1884 was inquired for, but that of 1846 was delivered after forty minutes' delay! As this edition was now of no use, it was returned and another quarter-hour lost in obtaining that of 1884.

Another reader, having only an hour to spare, asked for an ordinary book, not in the least out of the way, and was obliged to leave before it was found. Still another, asking for Blanc's 'Venetian Art,' received the volume on 'Dutch Art'; asking for a certain volume of Sismondi, received a different one—and all this with vexatious delays. Similar reports come from still another user of the Library. There are no end of attendants bustling around the central pulpit-desk, and the automatic delivery tubes keep up a great noise, but somehow the books do not come; or, when they come, they turn out to be volumes that have not been asked for. Conversation on the part of the readers is prohibited, but the crowd of employees and messengers do not scruple to speak as loud as may be, and the women clerks bustle about with rustling skirts and with loud-tapping boot-heels on the marble floors. The consumptive coughing of the pneumatic delivery tubes goes on continually, and the whole atmosphere of the nation's library in its gorgeous home is as far from scholarly as can be imagined. The placards "Keep Quiet" are hung at the pulpit-desk, from which comes all the noise! After years of possession there is no card catalogue, and if a book does not chance to be in one of the printed catalogues, readers must depend on the memory of the librarians. Altogether the condition of affairs at the new Library appears to be as unsatisfactory as possible, and with the present staff (selected by favor and "covered into the civil service" when the favors were given out at the hands of the Chief Librarian, himself no scholar, however eminently useful he may have been during the last Presidential campaign) there does not seem to be any immediate prospect of improvement.

When one reflects what such a library might be under good administration, actuated by a high and scholarly spirit, it is somewhat melancholy to remember that this national institution has apparently been sacrificed to the smallest and pettiest political considerations. It ought to be possible for a citizen of any State to make an inquiry by mail on any subject, from Egyptian hieroglyphics to the manufacture of small arms or bicycle balls, and to receive a prompt answer, giving him the best information that the Library affords, or, at the very least, a reference to the books where such information is to be had. If one desires to find out how far the Library is from fulfilling such an ideal, let him forward such a letter, in good faith, and see what reply he will receive. Yet the Library will never be national, in the true sense, till it is a part of its regular business to furnish such information freely. The Smithsonian Institution has done so for years. Why not the nation's library?

The instances just cited also show that the wants of scholars who have made a special visit to the Library to consult its really splendid collections are not provided for. It is quite inadmissible that a half-hour of waiting should be consumed in order to decide that the Library does *not* own a required book or that a half-hour should be needed to bring one from the stacks, even to bring the volume asked for. When the wrong volume is produced at the end of such a delay, it proves that the system of administration is quite faulty. There is no excuse for wrong administration of the details of library work in America, where such matters have been fully worked out. The delivery of books at the Astor Library or at the Boston Public (to name no others) is as prompt as can be wished for. It is no valid excuse to say that the national libraries of Berlin or Paris are slower in their deliveries than our own. More shame to them, but no excuse for us.

It is, perhaps, worth while to call attention to these shortcomings at the Library of Congress, in the hope that some improvement may be made. If the present methods are allowed to crystallize into habits, the Library will have totally failed to meet legitimate expectations. Q.

New York, The Century Club,
January 20, 1898.

THE CONSTITUTION AND ITS RATIFICATION.

To the Editor of The Nation:

Sir: The current number of the *American Historical Review* contains, among other interesting matter, a letter written immediately after the adjournment of the Federal Convention by William Pierce, a member from the State of Georgia. Though the letter is not long, it adds considerably to our fund of knowledge concerning the aims and opinions of the framers, for Pierce doubtless expresses the views of others. I desire to call the attention of your readers to the light thrown upon two questions which, before the civil war, were of supreme political importance, and are still of much historical interest. The two questions may be thus stated:

(1.) When the Federal Constitution was ratified, was it the general opinion that by ratification each State was surrendering a portion of its sovereignty, or that each State was merely granting to the new government permission to exercise a few

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functions which belonged of right to still sovereign States?

(2.) Was the Federal Constitution ratified by the States individually, or by the people of the United States *en masse*?

Upon the first question the letter speaks as follows:

"The great object of this new [federal] government is to consolidate the Union, and give us the appearance and power of a nation. The inconvenience of the different States meeting on the footing of compleat equality, and so many sovereign powers confederated, has been severely felt by the Union at large; and it is to remedy this evil that something like a national institution has become necessary."

Plainly, the inference is that heretofore the States have been sovereign, but for the future, if the proposed Constitution is accepted, that evil is to be remedied by making them less than sovereign. The only possible obstacle to this interpretation appears to lie in the somewhat equivocal manner in which the new federal government is described—"something like a national institution" and as having "the appearance and power of a nation." But any doubt arising from this suggestion is removed by a passage occurring towards the end of the letter: "It requires very little wisdom or forethought to see into the consequences of the new federal government when put compleatly in motion." Then follows an enumeration of some of its powers and the significant comment:

"All this taken collectively forms such a power independent of the states as must eventually draw from them their remaining sovereignty. Whether such a thing is desirable or not, let every man appeal to his own judgement to determine. It is clearly my opinion that we had better consolidate than to remain any longer a confederated republic."

Regarding the second question, the evidence furnished by Pierce's letter is not so decisive of his opinion, but it seems to indicate that he thought of the Constitution as presented for ratification to the States and not to the people of the United States *en masse*. This conclusion is based upon the impression derived from the letter as a whole, and from the following passage in particular:

"It is a difficult point to concentrate thirteen different interests so as to give general and compleat satisfaction. But as individuals in society (to use an old hackneyed and well known principle) give up a part of their national [natural?] rights to secure the rest, so the different states should render a portion of their interests to secure the good of the whole. Was this question proposed to each of the states separately, 'What kind of government is best calculated for the people of the United States?' there would be as many different opinions as there are different interests."

Here Pierce seems to have clearly before him the States as the ratifying constituency, for what follows is an illustration that each cannot be satisfied. It is true that other passages speak of the decision as lying with the people, but in none of them is there the slightest suggestion that the people of the United States *en masse* is meant; all these passages can mean the people of each State, while the passage above quoted can mean only the States.

Summarizing the points which I have been endeavoring to establish, the following conclusions seem warranted:

(1.) The States, in Pierce's opinion, gave up their sovereignty by ratifying the Constitution.

(2.) He apparently thought of the States as the ratifying constituency; or, if that be a trifle strained, the letter gives no countenance to the view of the "people *en masse*" theorists.

(3.) It is noteworthy that Pierce's opinions exactly coincide with Madison's views of what occurred in 1787-9. This may be seen by a study of the 'Federalist,' the proceedings of the Virginia ratifying convention, and Madison's correspondence during the nullification controversy. Madison's views, be it noted, do not agree with those of Webster and Story on the one hand, or of Calhoun on the other. FRANK MALOY ANDERSON.

UNIVERSITY OF MINNESOTA, January 18, 1898.

ASSOCIATION FOOTBALL.

TO THE EDITOR OF THE NATION:

SIR: I have read with much interest the letter which you published recently, sent from England by the American football-player, Mr. Edward Brooks, and advocating the substitution of Association for pure Rugby, or the unfortunate American modification of it, rather than see this splendid game tabooed by public opinion and finally, perhaps, suppressed in our universities.

Though not a player myself—once this season, however, I was impressed as goal-keeper at a scrub contest—I enjoy immensely watching the game, and have attended many matches in the football fields in the Bois, at Vincennes, Billancourt, and Clichy-Levallois. I have remarked that nine times out of ten Association is preferred to Rugby, and I have never yet seen an accident of any importance. But last Thanksgiving Day an American game of football was played at the Clichy-Levallois grounds by former American college men residing temporarily in Paris, and, before the end, a man was carried off the field with a broken ankle. At the same time, in another part of the same enclosure, an Association game was in progress between two teams made up of Americans, Englishmen, and Frenchmen, but not a man nor a boy received any harm worth mentioning. Myself and many others preferred to watch the latter game from beginning to end. "I take no interest in that brutal American perversion," I heard several French and English onlookers remark, much to my mortification.

Why, then, do not our college presidents come together and declare that Association football shall alone be permitted? And if our State legislators insist upon interfering in such things, why might they not take similar action? In this way the serious objections to the American game would be removed, our college sports would be freed from what is considered in many eyes a stigma, and this admirable winter game would be preserved. T. S.

PARIS, January 7, 1898.

AN ACKNOWLEDGMENT.

TO THE EDITOR OF THE NATION:

SIR: Owing to illness, I was unable to attend to the last revise of my work, 'The Sultan and his Subjects' (Chapman & Hall). At the last moment, a number of pages (indeed, two or three entire chapters) had to be omitted in order to render the book sizable. Among these abstracted pages was one containing the following paragraph:

"I am also much indebted to Prof. Grosvenor's delightful work, 'Constantinople' (Messrs. Sampson Low & Co.; Boston: Roberts Bros.), which is one of the very best books on the Turkish capital I have ever seen. It should be the vade-mecum of every visitor to Stamboul, being full of every kind of historical and legendary information. The Chronological List of Byzantine Emperors and Turkish Sultans at the end of the second volume of 'The Sultan and his Subjects' is also derived from this admirable work."

It was only recently, when rereading my work in print for the first time, that I discovered this omission, and I hasten to call attention to it, through your columns, as an act of justice to Prof. Grosvenor, whose courteous forbearance in this matter I greatly appreciate.—I beg to remain, sir,

Yours obediently, RICHARD DAVEY.

12 BUCKINGHAM ST., STRAND, W. C., January 12, 1898.

Notes.

Herbert S. Stone & Co., Chicago, are about to bring out 'Plays, Pleasant and Unpleasant,' in two volumes, by Bernard Shaw; 'How to Play Golf,' by H. J. Whigham; and a volume of reminiscences by Mrs. M. E. W. Sherwood.

Thomas Y. Crowell & Co. have nearly ready the seventh volume, with index, of Sybel's 'The Founding of the German Empire'; 'Workingmen's Insurance,' by W. F. Willoughby; and 'Congressional Committees,' by Dr. Lauros McConachie.

Further announcements by G. P. Putnam's Sons are: 'The Writings of James Monroe,' edited in four octavo volumes by S. M. Hamilton, Librarian of the Department of State; the fifth volume of the 'Life and Correspondence of Rufus King'; 'Reminiscences of the Old Navy,' from the journals and private papers of Capt. Edward Trenchard and Rear-Admiral Stephen Decatur Trenchard, by Edward Stanton Maclay; 'A History of the Parish of Trinity Church in the City of New York,' edited by Dr. Morgan Dix, in three octavo volumes, printed from type; 'The Cross in Tradition, History, and Art,' by the Rev. William Wood Seymour, with copious illustrations; 'Renascent Christianity: A Forecast of the Twentieth Century,' by Martin Kellogg Schermerhorn; 'Led On, Step by Step,' autobiographical scenes from clerical, military, educational, and plantation life in the South, 1828-1897, by A. Toomer Porter, D.D.; 'Jewish Religious Life after the Exile,' by the Rev. T. K. Cheyne; 'Coffee and India-Rubber Culture in Mexico, together with Historical and Geographical Notes on the Country,' by Matias Romero; 'Bird Studies,' in Eastern North America, by William E. D. Scott; 'Open Mints and Free Banking,' by William Brough; and 'Republican Responsibility for Present Currency Perils,' by Perry Belmont.

Mr. W. H. Brett, of the Cleveland Public Library, announces that his Cumulative Index will be continued as a bi-monthly, but will appear in two series. "The first number will appear in February and will include periodicals for January and February; the second will appear in April and will contain those from January to April inclusive; the third will be published in June and will include all entries from January to June. This number will end the first series. The first number of the second series will appear in August and will include the periodicals for July and August. An Octo-

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ber number will be published including entries from July to October inclusive, and the December number will form the annual volume, including all the matter previously published and all entries from magazines not indexed cumulatively, and will form a complete index for the entire year to all the periodicals included. This plan will make it possible to issue the annual volume in January, 1899."

Dr. Weir Mitchell's 'Hugh Wynne' and Gen. Horace Porter's 'Campaigning with Grant' were both concluded in the last volume of the *Century Magazine* (May-October, 1897), and are the chief features of that volume as it lies bound before us. In other respects it presents the usual variety, with prominent sporting papers and tales of travel in barbarous and semi-civilized lands. The poetic sum is made up of our elder and our newest bards, but throws no light on the problem of a new era for poetry in this country.

It is not easy to specify the leading features of *Scribner's* 21st and 22d volumes, but we shall name the series of articles on the conduct of great businesses; another on undergraduate life at Harvard, Princeton, and Yale, respectively; and Mr. Charles Dana Gibson's pictorial report on London. In illustration, we remark the full-page "Scenes from Great Novelists," in which Mr. Frost, for one, frankly adopts the conventional types of the Pickwick characters for a fresh composition. Some color experiments are more curious, perhaps, than satisfactory.

Girls count for very little in the bound volume of *Harper's Round Table* for 1897, the last of the weekly issues. It is true that Mrs. Wiggin, Mrs. Sangster, Miss Seawell, Miss Deland, and Miss Wilkins are among the contributors, but some of these furnish war stories. It is also true that the Rev. Edward Everett Hale, discoursing on the meaning of a vote, anticipates that the reading of the *Round Table* will enable "bright girls in the next generation," while waiting for the suffrage, to "understand the difference between Senators and Representatives"—a difference, surely, now without a distinction. On the other hand, Carl Schurz, defining "Party Allegiance and Political Independence," and Henry Cabot Lodge, inculcating the opposite doctrine in "What a Primary Means," are clearly addressing themselves to boys or young men. Much more so are Capt. King, James Barnes, and Theodore Roosevelt, with army and navy sensationalism. Even Mr. John Corbin, with his interesting descriptions of English schools, can have had only boys in mind. We trust that the belligerent monotony of the *Round Table* will be relieved by the change to a monthly issue, determined by the prospect of a British audience, on which our patriotic and Jingo stress must pall if it does not repel.

St. Nicholas, in its customary two volumes or "parts," is frankly for children of both sexes and of a considerable range in years. It changes little, and not for the worse. There is nothing in the varied contents for 1897 more to be singled out than Mr. Laurence Hutton's autobiographical "Boy I Knew."

Babyhood, as our readers know, is for mothers, and not for the children, whose care it alleviates and wisely directs. The thirteenth volume (December, 1896-November, 1897) testifies to the solid hold it has on its proper audience, which yet must be capable of indefinite enlargement. The table of contents is a full one, grouped under Medical Articles, Miscellaneous Articles, Nursery Problems, and the Mothers' Parliament. The publication office is at 140 Nassau Street, New York.

A showy exterior characterizes the series of "Apollo Poets," of which the letterpress is English, the portrait photogravures French, and the publisher of the copies before us (T. Whittaker) American. Small type and broad margins distinguish the Milton and Burns; small type and narrow margins the Wordsworth. They are, however, well indexed and very moderate in price.

Mr. Bernard Partridge's illustrations to F. Anstey's "farcical romance" 'The Tinted Venus,' which furnish the pretext for a handsome new edition of this ingenious and well-sustained extravaganza (Harper & Bros.), are noticeable for the consistency with which the recurring characters are depicted. The drawings are also academically clever and well composed. Taken by themselves, however, apart from the story, they would barely suggest a comic connection. This is no reproach to the artist. The absurdity which inheres in the very plausibility of the narrative could be conveyed only by caricature, and perhaps (with success) only on the scale on which Cruikshank was accustomed to work. Mr. Partridge has undertaken to present the plausible and realistic side of Mr. Anstey's humor, and has done this very well and sympathetically, while ornamenting the book.

The 'Students' Standard Dictionary' (Funk & Wagnalls Co.) has the merits of the parent work, and also inherits its unprepossessing typography. It contains, we are assured, 60,000 words, and, in view of the necessary compression, we can but think that space has been wasted by concessions to the "phonetic respellings recommended by the American Philological Association and the Philological Society of England." Cross-entries like *fonetic, fonograf, nevew*, etc., are cases in point. More to the purpose is the attempt to satisfy inquiry in the study of the works of eminent English authors required to be read either before or after admission to college. The appendixes are valuable, but that on "Faulty Diction" must be used with caution. We are glad to find conspicuously absent the old tirades against *reliable* and *had rather*, and to meet with an occasional defence of the richness of the tongue against those who condemn a locution because it is "superfluous." The doctrine conveyed under *all of, elder*, and *that, who, and which* is either wrong or misleading. This work is illustrated.

Mr. Herbert J. Davenport, whose 'Outlines of Economic Theory' we recently noticed, now offers us 'Outlines of Elementary Economics' (Macmillan). As the title implies, we need expect nothing but the skeleton of a science; but Mr. Davenport has done as well as his limits permit. His style is clear, and he shows a thorough acquaintance with his subject. He has inserted a very large number of questions intended to stimulate reflection among pupils; and as many of them are much easier to ask than to answer, the desired result may be obtained. But Mr. Davenport should provide the ordinary instructor with a key.

Many thoughtful readers will welcome Prof. George Harris's 'Inequality and Progress' (Houghton, Mifflin & Co.). While not a reply to works of the class of Bellamy's 'Equality,' it is in substance a trenchant and destructive criticism of the shallow philosophy on which these are based. The fine scholarship of the author gives a delightful flavor to his essays, which are at the same time marked by complete fearlessness of the odium which, in a democratic community, attaches to all criticism of popular formulas and traditions. The chapters on the relations of variety and progress, the meaning of equality of opportunity, the resentment of inferiority, the two kinds of discontent, are especially forcible and suggestive. The whole book is to be heartily commended to clergymen and others who have been carried away by the visionary ideals of Socialism.

'Uncle Sam's Secrets,' by Oscar Phelps Austin, appears in Appletons' series of "Home Reading Books," which is edited by the United States Commissioner of Education. This book is classified as belonging to Division III., Social Science, is provided with an introduction by the editor, an analysis and an index, and consists of a trashy sensational story, the course of which is from time to time interrupted by the insertion of a page or two of statistical and miscellaneous information about various matters. Many iniquities are committed in the name of education, but this is, perhaps, in view of the office held by the editor, about as discreditable as any of them.

In the Macmillan Co.'s "Rural Science Series," edited by Prof. L. H. Bailey, a volume prepared by the editor appears under the title 'Principles of Fruit-growing.' The merits of Prof. Bailey are too well known to agriculturists to require exposition here, and we content ourselves with remarking that the modern arts of growing, storing, and marketing fruits on a large scale are the leading features in this book.

Mr. G. Paramaswaran Pillai, editor of the Madras *Standard*, one of the principal English-written Hindu daily papers, now gives us an interesting-looking volume entitled 'Representative Indians' (London: Routledge & Sons)—short lives, with portraits, of thirty-six of his countrymen who have most distinguished themselves during the present century. A preface is furnished by Sir Richard Temple, who, while candidly admitting "that although political talent, statesmanlike ambition, and administrative power fail to be fostered under British rule," allows that "still there are ample fields for learned research, for literary taste, for social reform, for poetic culture, for philosophic meditation—in short, for general culture." And here we have exemplars of the results of such culture as "tended in every possible way by the state." The book treats of names and events and subjects so foreign to the lives and thoughts of the average English-speaking reader that a wide circulation here cannot be looked for. Rammohun Roy is the only name likely to be familiar. The book is, however, of interest as forcing on our attention the brilliant capacities of a people whom too many of those administering the government of India and seeking to influence the theological belief of its inhabitants are prone to disparage.

The Italian Ministry of Public Instruction has permitted the resumption of the publication of the catalogue of Palatine MSS. in the Royal National Central Library under the direction of Prof. Luigi Gentile. The new issue is number five of volume ii.

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and extends from Nos. 792 to 887. The majority of the entries are scientific, but there are not a few appetizing titles in history and belles-lettres. No. 837 includes biographical sketches of fifty illustrious Pisans; No. 824 a history of Volaterra; No. 826 a treatise on the forum of Florence, etc. No. 809 is the *Pocsie* of Tommaso Crudeli, dedicated to Sir Horace Mann, British envoy at Florence in the last century; one would like to dip into his apologue, "Un uom già fu, della campagna amante," as into the sonnet of Lorenzo de' Medici, "Chiar' acque, io sento 'l uostro mormorio" (No. 816).

Signori Mariotti and Mestica, of the committee charged with examining Leopardi's literary remains, are busy with a calendar. One tid-bit is the poet's commonplace-book of 4,526 pages, closely written in his own elegant and minute hand, and equal to nine volumes of print in conformity with Le Monnier's edition.

The *American Naturalist* has obeyed the law of its being in removing back to the Massachusetts coast on which it was born, and its 32d volume, dating from the present month, will bear the imprint of Ginn & Co. Dr. Robert P. Bigelow of the Massachusetts Institute of Technology assumes the editorial control.

Current History, too, has gone eastward, from Buffalo to Boston, where it will be issued without change of management by the New England Publishing Co., at No. 3 Somerset Street.

The most curious information contained in the *New England Historical and Genealogical Register* for January is perhaps the list of the eight men first slain by the Indians in King Philip's war. Mr. Waters, in his "Genealogical Gleanings in England," gives a characteristic mass of wills illuminating the Juxon connection. We learn that the proposed complete index to the *Register* is under way on the strength of subscriptions already secured, but more will be needed to complete this important undertaking.

Statistics given in the *Revue Pédagogique* present a sad picture of the physical and mental condition of the male youth of Italy. Of 363,617 conscripts of the class of 1875 presenting themselves for medical examination, nearly 191,000, or more than 52 per cent., were found to be permanently or temporarily unfit for service. Of 176,400 young men enrolled, 60 per cent. were able to read and write, and 38 per cent. wholly illiterate. These last figures indicate, however, a diminution in illiteracy since 1867 of 26 per cent., but a strict enforcement of the compulsory school law of 1877 should have reduced the proportion to almost nothing. As things are managed, 800,000 children, or one-third of those of the obligatory school age between six and nine, were receiving no instruction in 1895; and it seems that many of those who have been in school relapse into ignorance almost as fast as they have been lifted out of it. In years gone by, partly with the aid of regimental schools, then well supported and efficacious, the percentage of illiteracy among *disbanded* soldiers had been brought down as low as six or seven; in recent years it has from various causes risen again to twenty-six.

—The municipal problem is prolific of books. Most of them have the feature in common of being thrown into the form, now so attractive, of a scientific treatise. In this class would seem to fall 'The Study of City Government,' by Delos F. Wilcox (Macmillan). It cites three and a half pages of authorities, and is mainly descriptive in character, the author avoiding rather than endeavoring to reach conclusions. He divides the subject into three kinds of problems—those of "function," those of "control," and those of "organization"—and there is a great deal about "units"; which sounds more like chemistry or physics than anything relating to human government. This scientific jargon (for it is really little else) leads to curious results; thus, the author tells us (p. 15) that the task of political economy and sociology is "the assignment of functions" to the state and to individuals; on the next page he puts down religion as coming under the head of "external" functions of the state, and as connected with "foreign affairs"; and on page 20 he insists that any one who calls a city a "business corporation" ought to admit frankly his "close kinship to the Socialist." On the other hand, he makes here and there statements the truth of which cannot be questioned, as that "raising revenue is not undertaken for its own sake," which for scientific purposes should have been contrasted with the antithetical proposition, now admitted by all students of this branch of science to be true of the individual political unit—that it is not in politics "for its health." We must candidly confess that there is something a little depressing about science like that of Mr. Wilcox. His speculations read as if he had quite forgotten that city government is a product of human life, and that its functions, control, and organization depend on the human beings who produce it; consequently, the first qualification for a study of it is robust common sense and knowledge of life. A boss could give a clearer idea of what the "problems" actually are than a sociologist, and to him most of the discussion of this book would seem as irrelevant as the rural view of municipal life does to a buncosteerer.

—The Jesuit Relations (Cleveland: Burrows Brothers Co.) involve so many topics that each part, as it appears in monthly sequence, has some fresh feature. The official letter of 1636, which has already run through two instalments, is now concluded in Vol. X. Brébeuf is the sole author, and his subject, after the list of conversions has been dispatched, is the life and habits of the Hurons. The novelty is that this race is more advanced, more settled, and more strenuous than the Siroquois of Acadia or the Montagnais of the lower Laurentians. Moreover, although Le Jeune's style and matter are both above the average and well suited to their purpose, we feel in reaching a long unbroken narrative of Brébeuf that we have before us the strong man in the whole band of Jesuit missionaries. After touching on the state of Christianity amid such barbarism, he passes to an outline sketch of events that have marked the year. A great drought in the spring had been the means of pitting the French and the native sorcerers against each other, with the result that the former gained credit for the opportune rain which came about the middle of June. But weather reports and a notice of Iroquois forays are of slight moment compared with Brébeuf's careful description of the Huron people. He had by this time overcome the language, and could eke out what he saw with the report of what he had gathered in conversation. The second and by far the longest part of this Relation is entitled, "De la creance, des mœurs et des coustumes des Hurons." He begins *ab ovo* with the nation's theory of its origin, proceeds thence to its views of the soul and religion, comes in the third place to civil organization, and at the end describes the solemn funeral of the dead. The chapter on the conduct of councils shows the race at its best. We have more than once, in the course of notes on this subject, stigmatized the filth, cruelty, and other baser traits of the Indians. To do justice by the Huron braves we must quote what Brébeuf says of their public speech: "Quasi tous ses esprits sont naturellemẽt d'une assez bonne trempe, ratiocinent fort bien, et ne bronchent point en leur discours; aussi font-ils estat de se mocquer de ceux qui bronchent; quelques uns semblent estre nés à l'eloquence."

—One of the most useful pieces of work by the lamented Prof. F. D. Allen was his little book called 'Remnants of Early Latin.' Its worth was speedily recognized, and since its publication, now nearly twenty years ago, it has served as a text-book in many colleges in this country, as well as in at least one German university. Its thorough revision, which the learned author had begun, was cut off at the very outset by his sudden death. In that very month, last August, is dated the preface of Mr. W. M. Lindsay's 'Handbook of Latin Inscriptions' (Boston: Allyn & Bacon), a book of about the same size as Allen's, and intended, like his, to treat of the history of the language through the medium of inscriptions, with brief explanatory notes. It is a curious coincidence that Mr. Lindsay, who is a Fellow of Jesus College, Oxford, should have recently accepted an invitation to give at Harvard, during the second half of the academic year, lectures on some of the subjects which Allen had expected to treat there. Mr. Lindsay's new book carries the history down much farther than Allen had gone, and discoveries of inscriptions since the publication of the 'Remnants' enable him to begin earlier; his examples extend, in fact, from the Praeneste brooch, which belongs perhaps in the fifth century B. C., to the "Judgment of Pepin" in the middle of the eighth century of our era. The selections are excellently made, and the book, used in connection with the author's 'Short Historical Latin Grammar,' from which much of the explanatory comment is drawn, will be a real boon to teachers and students. Here and there, perhaps, the tone is a little too dogmatic, and sometimes we miss a hint that there is another side to the shield; but such failings must always be whenever a man sets out to compass infinite matter in a little room.

—On January 6 Herman Grimm celebrated his seventieth birthday. Not long before, there appeared a new edition of his 'Novellen' (Berlin: Wilhelm Hertz), first published in 1856. This, after the lapse of more than forty years, is a gratifying evidence of vitality in the work of a man who, with unimpaired intellectual vigor, continues to exert a strong and healthful influence in the world of literature and art. During all this period Grimm has steadily resisted the gentle demand on the part of friends and admirers for the republication of these charming tales. He had in the meantime gained a wider fame as the biographer of Michael Angelo, Raphael, and Goethe, and as the author of the fine and suggestive essays to whose number

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he is still adding year by year; he felt that his stories, the productions of his youth, appearing in the midst of a generation which had grown to maturity since they were written, might create the impression that the scholar and essayist had turned once more to story-telling. On the same ground he had repeatedly refused to allow them to be rendered into English. Throughout the first half of his life Grimm was exclusively the poet. The late Prof. Brunn has related how, at parting from Grimm in Rome, the latter announced his intention of winning a firm foothold in some special branch of scholarship. After several years of diligent preparation Grimm produced the 'Life of Michael Angelo,' but he has always remained essentially a poet; it was this poetic faculty that enabled him to reconstruct the Cinquecento. In all his work is observable the intellectual guidance of Goethe. Upon Grimm descended the afflatus of that august spirit, and in him were preserved the finer inspirations of the spiritual movement which began in the young enthusiasms of Herder and Goethe. In the 'Novellen' of Grimm this spirit and these inspirations are winningly manifested. They are the products of a mature but youthful mind which, as he says of one of his characters, "knew from hearsay that there was a future, and to which the past had already become an unknown land to whose shores memory never returned." They are the works of a poet who finds his materials in the everlasting now, using recollections of the past and seer-glimpses of the future only as diaphanous veils the better to reveal, as Schlegel said, the all too near actuality of the present.

—An appreciative notice of this reprint, by Anton Bettelheim, appears in the January number of *Cosmopolis*. "Even an indifferent reader," says the reviewer, "in reading the more impassioned scenes of these stories, is overcome by an emotion such as only the last scene of Goethe's 'Geschwister' calls forth"; and he speaks of Goethe's narrative manner as unmistakably evident in Grimm's style. Of these stories, the two most distinctively German both in subject and in treatment must also be regarded as the best, "Das Kind" and "Der Landschaftsmaler." The original of the "Child" belonged to the author's immediate circle, and the scene of the "Landscape-Painter" is Wiepersdorf, the estate of the Arnim family, where Bettina von Arnim, Grimm's mother-in-law, now lies buried. Deep, true sentiment characterizes these tales, and Bettelheim confesses to a feeling of contentment and rest at finding himself "in this timeless world of peace, among noble natures of splendid uprightness and sincerity." And it is a pleasure in this "Jahrhundert der Verzweiflung," as Grimm himself has called the present age, to see these gentle children of peace and beauty reappear by the side of Sudermann's and Hauptmann's disquieting creations. Meanwhile, the author pursues his philosophic way, living only with the best, perceiving the good in what is new and strange to him, and understanding even the worst that is thrown upon the shores of every new day by the restless wash of the intellectual tides.

—In a note in the *Monthly Weather Review* for September, Prof. Bigelow writes that meteorological observations are being made to ascertain the probable state of the sky at several stations along the path of the total eclipse of the sun, May 28, 1900. The 1900 eclipse in this country passes from New Orleans northeastward to Norfolk, Va., and Prof. Todd's original plan for the observations has been followed. Beginning with May 15, 1897, continuing until June 15, so as to include May 28 centrally, observations were made at sixty-six stations, along the track covering quite uniformly the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana. The general state of the sky at 8 A. M., 8:30, and 9:00 was noted, the instructions reading: "Observe carefully the state of the sky over the whole heavens, and enter the following notations: 0=sky entirely clear; 1=sky ¼ clear; 2=sky ½ clear; 3=sky ¾ clear; 4=sky all cloudy." At the same hours the sky near the sun was observed, as "sun clear from clouds; in scattered clouds; in a mass of clouds; quite invisible," represented by the same figures. The observers are largely voluntary. An inspection of the tables already collected seems to show that conditions in the interior of Georgia and Alabama are better than in North Carolina, South Carolina, or Louisiana. Another table shows that a minimum of cloudiness prevails for May in the South Atlantic and Gulf States, this season of the year being therefore generally favorable for eclipse work. As these observations will be repeated at like hours and seasons in 1898 and 1899, the selection of stations for the 1900 eclipse can then be intelligently made.

RECENT LAW BOOKS.

The latest publication of the Selden Society, 'Select Cases in Chancery, A.D. 1364 to 1471,' though bearing the imprint 1896, belongs, so far as this country is concerned, to the succeeding year. It is edited by William Paley Baildon (London: Bernard Quaritch). The bill in chancery underwent less changes and vicissitudes than almost any other legal document from the earliest times down to its abolition in 1873. Most of the well-known heads of equity we find at a very early date, and one of the primitive illustrations presented in this volume is amusing. The battle of Agincourt was fought October 25, 1415. In this battle John Craven and Simon Irby took certain prisoners, names unknown. The prisoners were, however, wrongfully taken away and ransomed by one William Bukton, without satisfying either the King or their captors. The latter thereupon file their bill, informing the Chancellor of these facts, that a sum of two hundred marks, part of the ransom, is in the hands of the wife of the Treasurer of Calais, and praying for an injunction forbidding him from letting it be delivered to any one before trial, and for the discovery from Bukton of the names of the prisoners. The author of the writ of subpœna is not yet known, but it seems to be made out that his great achievement was the discovery of the possibility of substituting a definite pecuniary penalty for an indefinite threat of something terrible.

Mr. W. A. Watt is the author of an essay on 'The Theory of Contract in Its Social Light' (Edinburgh: T. & T. Clark). He says that he has attempted "to investigate the fundamental conception and chief social relations of contract." This suggests metaphysics, and so does the opening sentence: "The borderland between Ethics and Jurisprudence is full of interest." The author is unaware of the danger which lurks in the attempt to define terms connoting a whole history in themselves. Sir F. Pollock, giving it up, avoids definition and describes contract in elegant terms. The Indian Contract Act, with audacious brevity, makes it "an agreement enforceable by law," which adds nothing to the term and gets us no nearer the "fundamental conception." Mr. Watt writes eighty-three pages about it, and reaches the conclusion that "we must endeavor to find an adequate theory, by making Philosophy and Jurisprudence criticise each other; by reading Hegel with the eyes of Savigny, and Savigny with the eyes of Hegel; by interpreting Drs. Caird and Sir Frederick Pollock each in terms of the other; by following for ourselves, so far as we may be able, all the currents of thought, from whatever side they may come, and striving to determine the total result." If we are not mistaken, this is not law, but what is often called jurisprudence. In order to criticise it at all, we are forced to turn to some practical question, such as "Is Marriage a Contract?" discussed in chapter iii. We find here that Mr. Watt regards marriage as properly an institution, or, as a Common Lawyer would say, a domestic relation, and we are entirely of his opinion.

The book is not for practitioners, and bears the same sort of relation to a practical book of the law that metaphysics does to science. Therefore, we have no doubt that it will be read by a number of people with much interest. The metaphysical stage in law, as a Comtian would say, is not by any means outlived yet. Socially, the book may be described as the work of an equilibrist, who balances so justly the conflicting claims of various theories that it is impossible to make out what his own, if any, are. How does it advance matters to be told that the woman question is one of "Applied Ethics"? (p. 37).

A 'Treatise on the Criminal Law as Now Administered in the United States' (Chicago: Callaghan & Co.), by Emlin McClain, is a compendium of the whole subject. The endeavor of the author has been to make use of every criminal case of general value decided in the courts of last resort in the United States and England, and in the course of his work he has cited some 20,000. Of course, under these circumstances it is impossible that there should be much discussion or examination of the reasons on which the law is founded; brief statements only of the rules are given. These are accurate and cover the field.

In 'Common-Law Pleading: Its History and Principles,' by R. Ross Perry (Boston: Little, Brown & Co.), the author gives the gist of Chitty and Stephen on Pleading, and Dicey on Parties. In addition to this, he incorporates many of the results of the researches of Maine, Pollock and Maitland, Bigelow, Holmes, Thayer, and Ames. The book consequently contains much of the substantive history of the common law. The production of a book of this kind for the use of students shows what a vital hold upon our law the old system of pleading, though nominally superseded and done away with, still maintains. This is, no doubt, owing partly to a fact which our energetic law-reformers of fifty years ago overlooked, and which accounts for many present anomalies—that while they abolished common-law pleading and practice, they forgot to abolish the common-law trial. Keeping

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trial by jury, and the consequent separation of findings of law and fact, they preserved much of what they thought they destroyed. Common-law pleading doubtless might have been wholly destroyed, for we have in equity pleading, and in admiralty, a different system; but so long as trial by jury, or the peculiar system of which it is an integral part, is preserved, common-law pleading must be to a certain extent studied by any one who wishes to attain a thorough comprehension of the reformed system. Without some knowledge of the older system, it is impossible for the student to distinguish between the different kinds of actions and remedies, and it is still true of the distinction between these, as Mr. Justice Grier once said, that it "lies in the nature of things," and "is absolutely inseparable from the correct administration of justice in common-law courts." Even the Legislature "cannot compel the human mind not to distinguish between things that differ." Besides all this, the history of actions and pleading is the history of the law itself. Our legal storehouses are full of substantial rights, the common property of all. But the seed of this great harvest was nothing in the world but the writs and declarations and pleas and demurrers of the precise logic of a more primitive legal world.

A book of a very different sort is Charles M. Hepburn's 'The Historical Development of Code Pleading in America and England' (Cincinnati: W. H. Anderson & Co.). It is a valuable compilation, giving an historical account of the rise and progress of the modern system of pleading in the modern English-speaking world. It brings out the fact that the movement set on foot by Bentham has virtually resulted in producing one uniform system everywhere. Of this system the essential features are the single form of action (if that can be called a form which has none), the statement by the plaintiff of the facts of his case, and the requirement that these facts shall be admitted or denied specifically by the defendant, who then sets up any affirmative defence that he may have. Why, then, the reader will ask, is the system productive of such different results in different jurisdictions? Why does it produce simplicity and certainty in the courts of England and the colonies, and so much dissatisfaction in New York, the first American State which introduced the system? The author does not discuss the question in this aspect, but he points out the radical change which the present English and colonial system has introduced, and which we have thus far steadily refused to adopt. The English regulation of practice is judicial, while ours is legislative. What we call a practice act, or a code, consists, in the English system, in great measure of flexible rules of court which may be judicially modified whenever the interests of justice demand.

> "The framers of the English system appear to have thought that the most direct course to the end which both systems have in view—a complete and final determination of a controversy in its entirety and according to its esential facts—was to put the least possible restraint upon the discretion of the court in dealing with a case; on the other hand, our codes have kept close to the common-law theory that judges should be required to exercise no more discretion than is absolutely necessary" (p. 200).

The result of this difference is that questions of pleading and practice in New York must be looked up in a book containing over three thousand pages and an act containing 3,441 sections. After half a century's work, we are still endeavoring to get a good system out of a legislature, when all our experience shows that it cannot be done. We have confounded with the rules of pleading, which can be stated in permanent form, and which are now the same everywhere, the network of procedure, treating questions relating to it as if they were matters of substantive right, to be fought over at every step, to delay as much as possible the final decision of the suit, and make as much opportunity as may be for future litigation, instead of being mere matters of judicial administration, which judges only are competent to provide for, and into which legislation can only introduce disorder. The idea that judges cannot be trusted to deal equitably or conscientiously with the questions presented is so preposterous that it is difficult to treat it seriously. Every one knows that in our system it is the courts which preserve our rights and the Legislature which invades them. Can we put life, liberty, and property in the hands of the judges, and not their own practice? No good can possibly come of the American system as it now exists in the chief State in the Union, and we have no sort of doubt that just as England originally took the reformed pleading from us, so we must take the reformed practice as developed in England.

Among recent additions to the Hornbook Series is a 'Handbook of the Law of Private Corporations,' by Wm. L. Clark, jr. (St. Paul: West Publishing Co.). Mr. Clark, who is the author of three other Hornbooks, states in his preface that his treatise is not intended to deal with corporation law in its application to particular classes of corporations, but only to give general principles. To some unsettled points he says he has devoted more space than is given them "in the larger works," *e. g.*, the doctrine of corporations *de facto*, of estoppel to deny corporate existence, of subscriptions to stock prior to incorporation, of watered stock, and of stock as a "trust fund" for creditors. Where we have examined his work, it seems to be conveniently arranged, and the author vouches for its having been written "from the cases themselves." Since the appearance of Mr. Morawetz's treatise, any writer must follow more or less in his footsteps, and accordingly Mr. Clark is at great pains to explain in his "corporation defined" that a corporation's personality is a mere legal fiction, introduced for the convenience of the corporation in transacting business. This makes his definition really a description. It is a page in length. Chief Justice Marshall, a pretty good authority in his day, defined a corporation in a dozen words: "An artificial being, invisible, intangible, and existing only in contemplation of law." This has never been improved upon, and Mr. Morawetz, who has a great gift of clear statement, opened his book with it. The definition does not conflict with the fact that all legal rights and duties really inhere in natural persons, and a corporation will necessarily remain a "person" in law to the end of time. To our minds, to say that this is a figure of speech is misleading. It is an abstraction, like a state, a church, or committee, and totally different from a real legal fiction, like those invented to give vitality to the old action of ejectment. The Erie Railroad is a true legal person; John Doe and Richard Roe were creatures of the imagination, evoked from the shades. It is pointed out in Pollock and Maitland's 'History of English Law' that, in the case of a corporation, what we personify is not the associated group of men, but "the purpose for which they are associated."

A 'Treatise on the Law in Relation to Promoters and the Promotion of Corporations,' by Arthur M. Alger (Little, Brown & Co.), is an important publication. The subject is one of great and growing interest, and there is no other treatise on it. The reason why the matter has not been treated separately before is because the cases relating to promoters and the business of promotion do not constitute a special branch of law—the word "promoter" itself is not a legal, but a business term. Notwithstanding this, the promotion of corporations is sufficiently specialized as a matter of fact to make the principles of law applicable to it capable of being grouped under well-defined heads, and Mr. Alger has done this very well.

In order to understand the law of the subject, the mind has to be freed from the primitive idea of a corporation as a voluntary assemblage of small contributions of capital for a common purpose, and to conceive it as in many cases an artificial being, called into existence by persons who have objects of their own to advance, which objects may have little to do with those of the corporation. Thus, a man may promote the organization of an electric-light or gas company in order to dispose of patents which he has bought, a mining corporation in order to dispose of a mine, a fertilizer company that he may "unload" a phosphate island. To accomplish such objects, he must induce a number of people to contribute capital, and as these people will constitute the corporation, he is said to stand to them, or rather to it, in a "fiduciary" relation. But this term does not mean that the promoter is a trustee for the corporation.

> "Familiarity with trusts and the language employed in connection with them has led to the description of the relation as a fiduciary relation; and although this is not a very happy expression, it is not easy to suggest a better. What is meant is, that although there is no actual relation of trustee and *cestui que trust* between a promoter and an unformed company, yet that when he has succeeded in forming it, he is liable to it, in respect of frauds practised by him upon it, planned by means of agreements entered into before its formation, and the real nature of which is carefully concealed from every one except those who profit by them. The frauds thus perpetrated are obvious when discovered, and the doctrine of fiduciary relation has been invented or extended in order to defeat them."

This is the language of Lord Justice Lindley, and it can hardly be improved upon. Promotion is one of two things: it either involves ordinary mercantile dealing between man and man, or it involves cheating. In the former case no question as to the liability of promoters arises; in the latter the promoter's liability is based on fraud. When we ask what is fraud, the law can give no other answer than that given by the moral sense and practice of mankind. A chancellor will hold that to be fraud which other people of the same degree of enlightenment hold to be fraud. He will not hold every advantage gained by man over man fraudulent, but he will as a rule follow the best commercial code of honor of his time. Thus, when Park and Stewart went to England to sell the Emma mine, they agreed with a

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promoter, Albert Grant, to sell the mine for $1,000,000, to a corporation to be organized for the purpose of buying it. But Grant was to have a commission equal to 20 per cent. of the capital stock, and this was kept secret. In other words, the real price was not the nominal price, and the company was accordingly held entitled to recover the secret profit (p. 78). Another well-known case is that of Erlanger vs. New Sombrero Phosphate Co. A syndicate of which Baron Erlanger, a Paris banker, was the head, purchased, for £55,000, an island said to contain valuable mines of phosphate. A corporation was got up by Erlanger (who managed the purchase) to take over the island and work the mines. He named five persons as directors, and they, or a sufficient number of them, were practically under his control. The island was put in at £80,000 in cash and £30,000 in paid-up shares, while the original price was not disclosed. On suit brought by the company, the contract was rescinded (p. 26), on the ground, as stated by Lord Cairns, that the directors' meeting by which the operation was accomplished was "little else than a mockery and a delusion."

'The Law of Mines and Mining in the United States,' by Daniel Moreau Barringer and John Stokes Adams (Little, Brown & Co.), is the title of a new book on a subject of growing importance. It is preceded by a geological preface, with plates by Mr. Barringer—a "new departure" in a legal text-book, and one which, in this case, undoubtedly adds to its value. Without some knowledge of geology, neither mining terms nor mining law can be understood. The book is dedicated to Mr. Justice Field, and very naturally; his judgments forming the basis of the whole mining law of the country. This law is now mainly statutory, and the plan of the work, which seems well carried out, is to give the statutory regulations in a rational order, with gloss and cases. We are surprised to see (p. 178) that the effect of the authors' statement about the question of State ownership of minerals is to minimize the importance of Justice Field's great California decision on the subject. The Judge, in his privately printed reminiscences, says that the doctrine "perished"; the authors think that it is merely "extremely likely" that his opinion "would be followed"—a strange way of putting the matter. The fact is, that the decision represents the rout of the State of California in a great legal battle—a rout so disastrous that no mining State has since cared to revive the attempt. The value of the book is mainly that of a practical compendium.

Mr. Edward Lyman Short of the New York bar has added to the text-books on railway securities a volume on 'The Law of Railway Bonds and Mortgages in the United States of America' (Little, Brown & Co.). Where we have consulted it, it seems full and accurate. The subject is a thorny one; we notice that Mr. Short points out (§§26,286) that two theories under which railway frauds are often successfully practised, have no foundation in law. One of these is, that a railway mortgage is a sort of town meeting, in which anything that the majority favors must be done; the other is, that every bondholder is a law unto himself, and can consequently do what he pleases without reference to other bondholders. Directors or bondholders who act on either theory are badly advised.

'The Law of Sales of Personal Property,' by Prof. Francis M. Burdick of Columbia (Little, Brown & Co.), is intended specially for students, and is confined to the discussion of the principles applicable to this class of contracts. It is assumed by the author that the general principles common to all contracts are already understood. It seems to be also assumed that the student knows what is needful about the Statute of Frauds. In fact, the book reads in places rather like the materials for a course of lectures than a completed introduction to the difficult topic of sales. It is a small magazine of learning which Prof. Burdick can no doubt readily use among his own students, but which others might not find so available. On the whole, we should say that, with sufficient oral explication, it might as a hand-book be made very useful.

However, we must protest against the definition of sale on page 1, where we are told that the seller "engages to pass the general property in a thing, *and to deliver possession thereof, to the buyer* for a price." Neither Blackstone, nor Kent, nor the Supreme Court of the United States says anything of this sort. Delivery of possession is no necessary part of a sale. A may sell B his ship lost at sea, for what it may be worth if recovered from the bottom; but he is not obliged to deliver the ship. Benjamin's definition—"a transfer of the absolute or general property in a thing for a price in money"—can hardly be improved upon. That the author himself is at home with the subject, notwithstanding this slip, can be seen from the care with which he guards against one or two common mistakes (committed, alas! even by judges on the bench), *e. g.*, that of confounding an executed with an executory sale, and the almost criminal error of talking about a vendor's "lien on goods which still belong to him."

'The annotated 'Negotiable Instruments Law,' by John J. Crawford (Baker, Voorhis & Co.), gives the statute as passed by the New York Legislature. In 1895 the conference on Uniformity of Laws held at Detroit took steps to codify the law relating to bills and notes. The matter was referred by a committee to the author as draftsman, and his draft was printed and sent to lawyers and judges both in this country and in England for criticism. In 1896 this conference, representing fourteen States, amended and adopted his draft. Since then it has become a law in New York, Connecticut, Colorado, and California. The fate of this experiment will be watched with interest. Will the Legislatures of the adopting States leave the law alone, or will they alter and make patchwork of it? Sec. 262 enacts that protest, if not made by a notary, must be made by a "respectable resident." Does this enable an issue to be made as to the social standing of a merchant who, in default of a notary, protests? The old rule appears to have been, that, by custom, merchants and officials other than notaries might sometimes protest. The rule never gave the courts any trouble; but we venture to predict that the statutory form of it will be found to open a way for contention and delay which would not otherwise have existed.

'An Outline of the Law of Libel,' by W. Blake Odgers (Macmillan), consists of six lectures delivered in the Middle Temple Hall during Michaelmas Term, 1896, at the invitation of the Council of Legal Education. It does not deal with the allied subject of slander, except where it is necessary to distinguish that species of wrong from libel. Mr. Odgers's well-known treatise or digest covering both topics is a proof of his competency to deal with them, and in two hundred pages he manages to give a key to the law of libel, condensing this again into a summary of twenty. In this outline he goes over the general principles governing libel, the question of "fair comment" on matters of public interest, of construction and justification, of privilege, and of malice, and concludes with a chapter on criminal law. The book is intended for beginners, and in many respects resembles Mr. Augustine Birrell's little hand-book of six lectures on Trustees. It is written in a popular style, and there are always difficulties in making a popular style adapted to a law book; but it is clear and to the point, which is the main thing. Some of the illustrations are very pat: *e. g.*, under the head of justification, wishing to illustrate the fact that truth in law does not mean mere adherence to the letter, the author says: "If Mr. Weller, sr., wrote to his son that 'the Rev. Mr. Stiggins drinks,' it would be idle for him to prove at the trial that the reverend gentleman occasionally sipped a glass of water, if the jury think that the words impute that he habitually drank to excess." In the chapter on privilege, he shows very clearly that "malice in law" is a fiction, and consequently, if the law is said to "presume" it, he can "only echo Mr. Bumble," that the law must be "an ass." This style evidently has its dangers. Speaking of the old dictum that "a seal imports consideration," he declares that "you might as well say that a man must have a handsome balance at his bank because he has a handsome knocker on his front door," which is amusing, but implies that the dictum is sheer nonsense or insanity, which is not true.

Mr. Odgers's levity of style is connected with a certain hastiness of judgment which is sometimes calculated to mislead the student. Out of his scanty space he gives up a page to the suggestion that a fair comment may become actionable, owing to actual malice in secondary publication. To clinch the matter he supposes that A and B are both suitors for the hand of the same lady. A writes a book which is severely, but fairly, criticised in a newspaper. B reads this, and maliciously sends a copy of the criticism to the mother of the young lady, intending to injure his rival. Mr. Odgers declares that he thinks an action will lie for this, but is able to cite nothing directly in point. Of course it may be that what is a fair comment as originally published by A may become actionable through being maliciously used by B, but the imagined case is far from a good means of strengthening the author's suggestion. To our mind, the illustration throws doubt on the proposition it is intended to fortify. Curiously enough, a real illustration of words originally innocent becoming actionable through misuse (though here the words originally were spoken) is given at p. 7, in the case of the man who told as a good joke a story of his having been taken for Jack Ketch, on which the defendant meanly published the story in his newspaper, and so led people to point at the plaintiff and call him Jack Ketch. The defence's attempt to prove that the story was

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set in circulation by the plaintiff himself was unsuccessful. This little book may be strongly recommended to any beginner who wishes to fix in his mind a general outline of the subject, and he will find it, moreover, very entertaining. For the layman it is hardly intended.

RECENT NOVELS.

The Tower of the Old Schloss. By Jean Porter Rudd. G. P. Putnam's Sons.

A Pretty Bandit. By Frank Bailey Millard. New York: The Eskdale Press.

Clever Tales. Selected and Edited by Charlotte Porter and Helen A. Clarke. Boston: Copeland & Day.

The Stepmother. By Gregory Xenopoulos. Done into English by Mrs. Edmonds. John Lane (The Bodley Head).

A Story-teller's Pack. By Frank R. Stockton. Charles Scribner's Sons.

The Statement of Stella Maberly. By F. Anstey. D. Appleton & Co.

A Transatlantic Chatelaine. By Helen Choate Prince. Boston: Houghton, Mifflin & Co.

The Burglar Who Moved Paradise. By Herbert D. Ward. Boston: Houghton, Mifflin & Co.

Gold: A Dutch-Indian Story. By Annie Linden. The Century Co.

Tales from a Mother of Pearl Casket. By Anatole France. Translated by Henri Pène du Bois. New York: George H. Richmond & Co.

Sketches in Lavender, Blue, and Green. By Jerome K. Jerome. Henry Holt & Co.

The Express Messenger, and Other Tales of the Rail. By Cy Warman. Charles Scribner's Sons.

Uncle Lisha's Outing. By Rowland E. Robinson. Boston: Houghton, Mifflin & Co.

Lying Prophets. By Eden Phillpotts. Frederick A. Stokes Co.

'The Tower of the Old Schloss' is a pleasing little story of 'The Old Ma'mselle's Secret' type minus the mystery. There is no secret; only an agreeable amount of Austrian-Tyrolese landscape, a haughty Baroness, and the rest. The novelty in the book is the extraordinary rendering of Tyrolese dialect into a hodge-podge of English, German, and Scotch. For example: "Hei, thee hat right now; as lang as I hae lived, an' I hae lived lang enough, I've nit-a seen the man yet as are worthy of it."

'A Pretty Bandit' and the tales which accompany it are much, yet not over-much, lauded when it is said that, dealing with the interminable alkali plains, the eternal sage-brush, and the inevitable cowboy, they have yet freshness and crispness and newness enough to make a very entertaining and original volume.

Is it because we are making strides in story-telling that the French *conte* does not necessarily now strike us dumb with admiration and wonder? 'Clever Tales,' to which France, Russia, and other Continental countries have contributed, are clever, truly, for the most part, yet cause one to reflect that cleverness may become tiresome, as in "The Phœnix," "Milton's Daughters," and "Newton's Brain"; and that, as shown in many of the rest, cleverness allied to ghastliness or to motiveless coarseness, is a combination of which by this time, let us hope, we are all heartily weary. "Karen" is an honorable contrast, humorous, melancholy, and not repulsive.

A tale of every-day life in modern Athens, by a modern Greek, put into English, is sufficiently a novelty to command the attention of fiction-seekers. 'The Stepmother' is, moreover, a story of some attractiveness, giving a glimpse of the Athenian home, and having as its motive the question of the advantages of early marriages. That the hero is only twenty years younger than his father, leads to a serious situation which only just does not wreck the family. The story may be read with interest, whether or no it is persuasive as to the desirability of keeping one's parents as old as possible.

When Mr. Stockton returns to his short stories, he comes again into his own and we into ours. Therefore, for 'A Story-teller's Pack' we thank him. If in one or two instances the humor hovers on the edge of that steep which falls away into flatness, there is the saving grace of a speedy ending to the matter, and we pass on, finding, all told, very little from cover to cover that does not sustain Mr. Stockton's unique and enviable reputation.

In no disparagement be it said that Mr. Anstey's books recall the remark of the Tennysons' family servant, that "you might coomb hell with a fine-tooth coomb, and you would not find their likes." 'Miss Maberly's Statement' is, no less than his others, a case in point—weird, wild fancy costumed as common sense. If one does not believe in his magic, it is not his fault, for all is systematically and logically elaborated and set down in plain good English. To tell the story would be to dull the surprise for the reader, to whose personal inspection, therefore, we commend the puzzle.

'A Transatlantic Chatelaine' is written in a fine and lofty style, and teaches a rare and noble lesson—that of fidelity to duty without story-book reward. Its effectiveness as a novel is marred by the inconsistencies of the heroine's character, who, with a pure, cold, rarefied soul, is imposed upon by unworthies whose detestable qualities cry aloud at the first glance. The villain is not only so, but a cad, and would hardly have deceived such a nature as Sylvia's, even for an hour. The circumstances which lead to her wealthy widowhood (and wealthy widowhood, of course, was imperative if she was to become a French chatelaine) are a tax on credulity, and the detailed account of her father's career a tax on patience.

In light, bright, and charming vein is Mr. Ward's 'Burglar Who Moved Paradise.' If there is a suspicion of Stockton in its composition, surely none will object (unless Mr. Stockton does); there is, to boot, a composite quality, compounded of fun, sentiment, and salt water, which is almost to be called a new combination and which is thoroughly pleasing.

'Gold,' so far as known to the present reviewer, is the first Dutch Indian novel that has seen the light of day. It has the merit of absolute originality in its scenery and its figures. There are the Dutch Indian islands, there are Orientals of every sort from Chinese to Javanese, and the dwellers in Moa. The hero, a perfectly commonplace young Amsterdam merchant, falls a prey to the gold craze, through reading in old Malay manuscripts of the Mountains of Moa; he persists in a crazy expedition, and only his lady-love's devotion saves him from destruction. There is a good deal that is interesting in the accounts of people and places, even though the latter are filled with poisonous horrors and the former have "manners which are none and customs which are disgusting." The story needs an oiled feather, for the imaginative and the realistic are not welded with skill. It is at moments horrible, at other moments flat. Yet it is striking and readable, and serves to make one grateful not to have had his lot cast in Dutch India.

The tales of Anatole France have much of the mother-of-pearl texture of the casket whence they are taken—its firmness, its smoothness and finish, its variety and delicacy of tint. They are the tales of a scholar, and range from Roman Judaea to Revolutionary France. Of the sixteen the sketch of Pontius Pilate is the most learned and one of the best. There is a very good one of the first French Republic, the journal of a recruit, and a charming one or two based on monastic legends. In others we find the historic sense rather over-keen for the sickly; and the mystical sketches are very mawkish. In a tale of spiritualism, referring to the well-known William Crookes of England, a sentence runs: "Moreover, William Crookes was deprived suddenly of the aid of the incomparable dead lady who had gracefully granted to him several spiritualistic séances." The translator, obviously a Frenchman, has a copious vocabulary and a command of construction, but has not escaped the snares which await the foreigner who tries to master our *will* and *shall*, our *has been* and *was*. An occasional sentence reminds one of Madam Eve, as when the young hermitess, Oliverie, is not frightened by having a unicorn enter her kitchen, "one day that she was weaving wool"; knowing that "the unicorn never does any harm to misses who are wise." Misses will please note the fact in case of unicorns in or out of kitchens.

Of Mr. Jerome's nine tales and ten "character-scapes" there are good, bad, and indifferent, but the greatest number is good—good in the Jerome style, let it be understood, with his well-known alternations of the ingenious with the commonplace, the clever with the cheap, the fanciful with the sordid. A well-edited Jerome might be a book of real diversion; and, by the way, will the maker of that edition kindly omit illustrations?

Locomotives and Indians, separate and combined, have found an eloquent biographer in Cy. Warman. He knows his locomotive as Howells his Venice, as James his international heart. And he makes the reader know it in a series of sketches which are certainly not void, though they have little form. They read like synopses rather than accomplished work, with their lists of characters, engines, Pawnees, Sioux, firemen, drivers, and road-agents, and their galloping recapitulation of disasters and escapes. The language is an odd fusion of scenery-English and the slang which came with electricity and the development of the West, and which is not ill-suited to the theme, though "stroking his long gray Peffers" may well contract the heart of the stoutest patriot. But it is the nature of the engineer to use local color in his speech, of the Indian to scalp, and of the locomotive to lead an errant life when it is not sulking; and these are stories of the rail, and as such fulfil amply and ably their promise.

'Uncle Lisha's Outing' is chiefly interesting

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as a study in early Vermont philology; and of its gems of speech there are no two of purer ray serene than Antoine's "lonesick," and (in response to "I druther") Uncle Tyler's "You'll get your druther." We do not underrate the joys of camping and hunting in Vermont wildernesses of half a century ago, nor the never-failing thrill of a glimpse of the underground railroad, nor the felicity of meeting again our old friends the Danvis Folks—old Uncle Lisha, for ever young; Joseph Hill, for ever cautious; Ann Twine, the French Canadian, for ever amusing; yet we confess that, in lieu of six days of the landscapery, the dialect, and the duck-massacring, three would have contented us.

Landscape and dialect abound also in Eden Phillpotts's book, 'Lying Prophets,' but as accessories to a heavy-hearted story of no little power. The novels that come up out of Cornwall are ever woful and tragic. From Isolde's time to this, so has it been. The Cornish coast is cruel, the melancholy of the sea touches life at every point, religion is as sombre as the granite crosses on the moors, and even joy and sunshine seem only will-o'-the-wisps leading to doom. Such is often the impression from Cornish tales, and such particularly comes from this one, where we meet, austere of the austere, the "Luke Gospellers," compared with whom Calvinists are freethinkers. Against their doctrine comes clashing nature-worship as practised by a London artist, but practised solely in the interest of his own art, and between the two forces the tragedy is struck into pitiless flame. "Lying prophets both" who preach these two religions, says to poor little Joan the good Uncle Chirgwin, who "has the faith that moves mountains." It is a painful and a moving tale, full of sad orthodoxies and sad heresies; told with a force which would have been heightened, to our thinking, by abbreviation of many scenes and descriptions. The characterizing is extremely well done; every person stands out strong and alive. For the time one lives in Newlyn and shares the common lot. The talk of the village fisher folk among themselves has the living and often the luminous quality of that of the country people in 'Adam Bede' and 'The Mill on the Floss.' And the beautiful Cornish dialect—can one have too much of it? "The auld stones speaks to me solemn, though they can't talk. They'm wise voiceless things and brings God closer. An' me an' all the world o' grass an' flowers, and the lil chirruping griggans do seem so young beside 'em; but they'm big and kind."

WORKS ON MUSIC.

Pianoforte Study. By Alexander McArthur. Philadelphia: T. Presser. Pp. 141.

Portraits and Silhouettes of Musicians. By Camille Bellaigue. English by Ellen Orr. Dodd, Mead & Co. Pp. 302.

Kritik der Tonwerke. Von Julius Fuchs. Leipzig: F. Hofmeister. Pp. 552.

A Pilgrimage to Beethoven. By Richard Wagner. Translated by Otto W. Weyer. Chicago: Open Court Publishing Company. Pp. 39.

Stories of Famous Operas. By H. A. Guerber. Dodd, Mead & Co. Pp. 258.

Alexander McArthur knows more about the life and art of Anton Rubinstein than any other writer on music, being the author of the best biography of him so far issued, and one based on a friendly intercourse of many years. The new book from the same pen has the sub-title of "Hints on Piano-Playing," and it may be said at once that, large as is the list of instructive works for students of that instrument, no other will do so much and in so pleasant a way to open their eyes and ears to what is essential in their art. It is not a mere treatise on technique, on which most pianists waste most of their time, but it pays special attention to the intellectual and emotional sides of the art, without which, in these days of rampant virtuosity, the most brilliant manipulators of the keyboard fail to command applause. In modern concert-halls brains are more important than nimble fingers. "It is better," says the author, "to practise an hour daily with your thoughts concentrated on your work than to practise five hours with your thoughts rambling." Some mothers would do well to read this book and note the damage done by injudicious flattery, as described on page 27. "All the geese become swans, and the number of young Paderewskis now flourishing would be amazing, were one to take a census from mothers only." "Of course it is lovely to be told that one has played a piece as well as, or even better than, Paderewski, but one should never forget to measure such praise by the ability and knowledge of the bestower."

The advice that Paris should be avoided by students of the pianoforte, because piano-playing in that city is at the lowest ebb, is perhaps hardly needed, as the great Mecca of students at present is Vienna, where dwells Leschetitzky, who is supposed to have the magic gift of converting sparrows into nightingales. Leschetitzky, the author points out, undoubtedly sends forth pianists perfect in technique, but very often defective in poetry. Paderewski was his pupil, but what is poetic in his playing was born in him, or is due to his own studies; his readings are his own. Paderewski is justly classed by the writer as one of the world's three greatest pianists, Liszt and Rubinstein being the other two; but the statement that there are just four great pianists to-day—Paderewski, Carreño, D'Albert, and Rosenthal—is questionable; there are many who would say that MacDowell and Joseffy have greater claims than the second and fourth in that list—in some respects greater than the third. Rosenthal is properly characterized as a mere virtuoso, and censured for his arrangement of Chopin's waltzes, "an atrocious example of musical taste, at the same time a brilliant exhibition of his grasp of counterpoint—but Rosenthal plays Chopin's Berceuse and Barcarolle too abominably for words."

Hans von Bülow recognized his own limitations. His playing of Beethoven was a revelation, but he had none of Rubinstein's fascination of touch or tone, and Chopin's poetry was beyond him. "I was never more struck by Hans von Bülow's wonderful critical powers," writes the author, "than when he said one day, during the lessons at the Raff Conservatory, to a pupil who wanted to play the A flat Chopin Ballade to him: 'I cannot show you how to play Chopin's Ballade, because I myself do not understand Chopin.'" Bülow owed his success as a teacher largely to his insisting that compositions should first be carefully studied with the eyes alone, away from the instrument. He himself "could play any piece—so highly had he himself developed this talent—after a short mental study." A musical student must also make experiments. Rubinstein once told the author that he had spent thousands of hours in trying to find a particular tone he wanted. Many of his most wonderful tone-color effects were combinations of the pedals—which few pianists know how to treat properly. Excellent as the remarks on the pedal in this volume are, we must take exception to the recommendation that it should be used very little in Bach's Preludes and Fugues. There is in those pieces a dreamy, romantic spirit which can be revealed only with the aid of the pedal. There is also a slight misconception (p. 97) as to Wagner's attitude towards the piano. He did, indeed, at one time, speak of it slightingly; but in his later essay on the Munich Conservatory he placed the piano in the front rank.

If a reader of the second book on our list should happen to open it on page 300, where it is stated that Wagner "passed by the beauty of the human voice almost without recognition. Despising, sometimes insulting human speech, he neglected," etc.—he would be likely to toss it into his basket as trash. But the judgment would be too severe, as there is nothing else equally foolish and antediluvian in the book. It is a series of rambling essays on fifteen composers—Palestrina, Marcello, Pergolese, Haydn, Mozart, Gluck, Beethoven, Rossini, Weber, Mendelssohn, Schumann, Auber, Berlioz, Meyerbeer, and Wagner. There is little in them that might not be found in more condensed form in the encyclopædias and musical histories, but lovers of Italian and French music, to which the bulk of the volume is dedicated, may find it to their taste. It must be said that there are other French books much more deserving the compliment of a translation than Bellaigue's; for instance, the 'Harmonie et Mélodie' of Saint-Saëns; or Julien's 'Musiciens d'aujourd'hui.'

Extremely silly but very useful—thus paradoxically might be summed up the criticism of the third book on our list. Herr Julius Fuchs undertakes the amazing task of classifying 2,576 composers mathematically in the order of their value—not individually, of course, from No. 1 to No. 2,576, but according to general divisions. These divisions are arrived at with the greatest ease. Following the ludicrous precedence of Naumann, Herr Fuchs puts the great composers up to Beethoven, and those only, in class I. 1; there are four of these lucky ones—Bach, Beethoven, Handel, Mozart; then in class I. 2 comes Schubert, all alone by himself. Class I. 3 comprises Gluck and Haydn. These are the first-rate composers—no romanticists admitted in this category. Then come the second class, II., 1, in which we find this happy family: Brahms, Mendelssohn, Schumann, Wagner, Weber. Herr Fuchs seems to be down on foreigners. So far, all the masters are Germans. At last, under class II. 2, he admits them—twenty-one of them, in fact; among them, Chopin and Mascagni, on the same rung of the genius ladder! It is to be feared that Herr Fuchs is lacking in a sense of humor; and what is more, he threatens to print another volume justifying his classification. Yet the present volume, as we have said, is very useful. The comic classification takes up only thirteen pages; the rest of the volume is divided into two sections; one (152 pages) gives a list of pieces for various instruments, or the voice, classified according to their degree of difficulty. This is followed by a list of the works of the 2,576

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composers—very convenient for reference. The rank marks recur in this division, but they can do no harm.

When Richard Wagner was starving in Paris, he found that he could earn a few pennies by writing musical essays and novelettes. One of the best of the latter was a novelette entitled "A Pilgrimage to Beethoven," which, in a semi-autobiographic vein, describes a poor musician's journey to Vienna to see his idol, Beethoven. In ensuing conversations some of Wagner's own ideas are put into Beethoven's mouth; for instance, "If I were to compose an opera after my own taste and views, people would run away from it. There would be no arias, duets, trios, nor any similar stuff in it, with which they patch operas together nowadays." There is a good deal of pathos, too, in this novelette. It has been translated several times, but Mr. Carus's convenient edition is none the less welcome.

Some time ago Miss Guerber issued a volume on the 'Stories of the Wagner Opera.' Its success has encouraged her to write another, outlining the plots of the principal French and Italian operas, omitting those based on Shakspere as being sufficiently familiar. The stories are not mere "arguments," as the opera-house programmes call them, but are told at some length; in 258 pages only fifteen operas are disposed of. They are "Faust," "Carmen," "Aïda," "Huguenots," "Fidelio," "Don Juan," "Barber of Seville," "Martha," "Il Trovatore," "Lucia," "Norma," "Mignon," "Figaro," "Cavalleria," "Le Cid." There are also a number of pictures.

Life and Letters of John A. Roebuck, P.C., M.P. Edited by Robert E. Leader. Edward Arnold. 1897. Pp. vi, 375, with portraits.

These memoirs of a man who for a generation occupied a distinct place in British politics and died eighteen years ago, are judiciously written, and are likely to be of interest to those who remember his times. The public character of Mr. Roebuck is honestly brought out. It is one not particularly lovable or calculated to inspire enthusiasm. Mr. Leader admits Mr. Roebuck to have been "the zebra of politics," "a man of angles and peculiarities, uncomfortable to friends and dangerous to opponents." A leading journal is quoted as writing of him, after his decease, as having been

> "a thorn in the flesh of the party to which he nominally belonged. Whatever good he did in public life—and he did some very good things, especially in the earlier part of his career—he did by well establishing himself as a thorn in the tenderest region of his party's organization, and shifting about there freely as that party moved."

If he believed that, in following the interests of England, he advanced "the interests of the whole human race," the manner in which, according to a newspaper of the day, "he put Roebuck first and England second, and the magnificence with which he was able to trace all his country's greatness to a judicious obedience to the Roebuckian behest, were characteristics which often proved irresistibly tempting to the satirist and the scoffer."

The Life should be interesting of any man born amid the purple of Anglo-Indian officialism, brought up in the backwoods of Canada, and who, not altogether without the use of fists and pistols, fought his way up to the position of "Right Honorable." The reader will find himself somewhat bewildered in endeavoring to follow his tergiversations: a redhot Radical, a crusty Conservative—desiring the abolition of the Lords' veto, regarding them as the bulwarks of the state—the coadjutor of O'Connell and a lover of the Irish, their despiser and contemner—in favor of the abolition of all State churches, the supporter of even the Irish Church—a professed lover of freedom, the admirer of the Southern Confederacy. In Mr. Roebuck's case, as in that of other British politicians who have gone over to the Tories, we find it difficult to reconcile the Queen's sudden appreciation with the bearing of a constitutional monarch supposed to stand neutrally above party. "I have sent for you," said her Majesty, on Mr. Roebuck's reaching Osborne to be sworn on the Privy Council, "so that I might be able to express to you personally my high appreciation of what you have said and done upon the late trying occasions. I consider your conduct to have been that of a true patriot, and I am glad to have this opportunity of expressing to yourself my approbation and thanks."

We find many interesting notices of distinguished people. Judging of Mr. Roebuck, as we were accustomed, by his later career, it is curious to think of him as a sworn Benthamite, the associate of John Stuart Mill, the companion of the Taylors and the Grotes. We have a circumstantial account of his version of the causes that led up to his sudden breach with Mill. It varies essentially from that given in the Autobiography of the latter, where it is attributed to differences concerning the respective merits of Wordsworth and Byron. If this book has any special message to latter-day politicians, it is that seasons of discouragement such as that which came after the great Reform Act have before supervened apparently as deep as that through which they are now passing.

The Quest of Happiness. By Philip Gilbert Hamerton. Boston: Roberts Brothers. 1897.

Disbelievers in hedonism are likely to derive more happiness than other people from this book. Its general effect is undeniably dreary and depressing, and this fact will be appealed to as demonstrating the unsatisfactory nature of the author's philosophy. It is substantially an atheistic stoicism; and stoicism without faith in divine rule seems to many but a broken reed on which to lean. The great practical rule of the Stoics was, Don't want what you can't get; and if this rule could be carried out, much unhappiness would disappear. The world, however, has never been able to adopt it, and even the virtuous Epictetus must have encountered serious difficulties in practising what he preached. To profess stoicism, said Gibbon, with Seneca's purse, was to enjoy at once the advantages of fortune and philosophy; but Seneca's soundness in the faith may be doubted. Man's nature is so full of longings and desires that he cannot tell beforehand which of them it is hopeless to try to satisfy, nor is the process of repressing feeling unattended with unhappiness.

There is, of course, as Lucretius observed, a pleasure in contrasting our lot with that of others less favored. As the worthy deacon put it in saying grace before his Thanksgiving dinner, We are grateful that so few families will sit down to-day to so good a dinner as that which is on our table; and every one remembers Marjorie Fleming's list of reasons for thankfulness. There is certainly more of happiness in this state of mind than in envying those who are better off than we are; but happiness of this description is not of a particularly edifying character. Mr. Hamerton was scarcely consistent in admitting that the Pharisee in the parable ought not to have been proud of his supposed superiority to the Publican, although he might fairly be glad that he was not an extortioner, nor unjust, nor an adulterer. Might he not get as much happiness out of the first reflection as from the others? And if he could, why shouldn't he?

But such queries as this would soon lead us into the sloughs of casuistry, which Mr. Hamerton, to do him justice, avoided. With his definition of happiness it is not hard to prove it attainable. It means simply such a degree of satisfaction with our existence as makes us willing to live on as we are without any important change. "So long as we prefer conscious to unconscious existence, . . . there must be some degree of happiness in our lot." A small enough degree, however, as Mr. Hamerton not only held positively that the happiness hitherto enjoyed by the human race would not compensate for its sufferings, but also looked upon the sure extinction of life in the course of nature "without the slightest disapproval and with very little regret." But the fact that living was a poor business did not prevent Mr. Hamerton from courageously, and even heroically, trying to make the best of it, and his maxims not only will commend themselves to such as hold to his philosophy, but deserve the attention of those to whom it is repugnant. For, as he pointed out, no one practically disregards utilitarian considerations. Even those who do not make their own happiness an end, struggle to promote that of others; and if such a struggle is to go on, it is desirable to know how to carry it on successfully. Certainly no safer advice can be given than to avoid dwelling on unattainable ideals. "The power of seeing things as they really are, without being biassed by the desire to have them as we think they ought to be, is, of all gifts, the most desirable, with a view to a rational though not an intoxicating kind of happiness." This is not the most elevating of doctrines, but Mr. Hamerton did not forbid us to dream of an ideal world, nor are those who think it base to seek happiness deliberately obliged to follow his precepts.

The most suggestive part of his book is that which illustrates the distinction between positive and negative happiness; but no doubt the whole of it will commend itself to his admirers. Perhaps it can be criticised no more justly than by quoting one of its sentences: "Happiness is much more nearly akin to self-satisfaction than is culture, and self-satisfaction is usually found in its highest perfection in narrow minds and in narrow lives."

Magic, Stage Illusions, and Scientific Diversions; including Trick Photography. Compiled by Albert A. Hopkins. New York: Munn & Co. 1897. 8vo, pp. 556.

This book has a distinctive character. Probably not fifty pages of it are filled with the stock of such publications, drawn from

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Jerome Sharp and Ponsin. It is not a manual for amateurs, like Hoffmann's excellent volumes. It treats neither legerdemain nor the psychology of prestidigitation—a branch of the psychology of art which merits systematic discussion. Mr. Hopkins's main purpose seems to be to collect descriptions of mechanism for public illusions and stage-effects. These are eked out with photographic and other tricks, and with sundry contributions by Mr. Henry Ridgely Evans; so that on the whole the contents are somewhat promiscuous. There is a bibliography of white magic by Mr. Evans—naturally, a mere selection of titles with a few notes. It records the principal publications, as well as many others. That it is specially meagre in its English department is significant. For example, Baptista Porta's 'Magia Naturalis' is entered; not, however, the complete work, but only the first four of the twenty books which appeared in 1561, when the author was a boy. The popular English translation is not mentioned. Though Ozanam's 'Récréations' is given, the similar works written and translated by William Oughtred are omitted, even the somewhat celebrated book which pretends to be by Henry Van Etten. It is not in the French list, which ends with the letter R, so that Salverte and all authors later in alphabetical order are missing.

As a sample of the contents, take that trick in which the rise of the curtain discloses two large cages made of slats, like hen-houses or drying-rooms, but raised upon legs, so that the spectators can see under them as well as through them. Indeed, the performer happens to have occasion to pass to the back of the stage, when he can be seen as he walks behind the slats, and his feet can be seen below. A brilliantly dressed odalisk, or Mohammedan lady, appears upon the scene and enters one of the cages. Shades, like those of a carriage, are attached to it, and are pulled down; but no sooner is this done than instantly the door is thrown wide open, showing the whole interior, and in place of the lady there is a "caliph," or man in old Turkish costume. Just then the odalisk enters the parquette by the regular entrance in the rear. The curtains of both cages are now pulled down; the caliph enters one and the odalisk the other. The latter is then hoisted midway to the ceiling. The doors are now shut, and a shot is fired; whereupon the doors fly open, the odalisk's cage is empty, while she is in the one where the caliph, who has disappeared, was seen an instant before. The two cages stand open, and the audience can see right through them. The very simple secret is given.

The volume is rather handsome with its gay binding and 400 excellent illustrations. It will interest boys and amuse men.

BOOKS OF THE WEEK.

Addison, Daniel D. The Life and Times of Edward Bass, First Bishop of Massachusetts. Boston: Houghton, Mifflin & Co. $3.
Binns, C. F. The Story of the Potter. New York: M. F. Mansfield. 75c.
Castlemon, Harry. A Sailor in Spite of Himself. Philadelphia: H. T. Coates & Co.
Date Book. To the Year 1897. George Routledge & Sons.
Evans, E. P. Evolutional Ethics and Animal Psychology. Appletons. $1.75.
Fredericq, Paul. Geschiedenis der Inquisitie in de Nederlanden. Ghent: J. Vuylsteke.
Gomme, G. L. Lectures on the Principles of Local Government. London: A. Constable & Co.
Hazard, Blanche E. Earliest Days in America. New York: Morse Co.
King, Lieut.-Col. C. Cooper. The Story of the British Army. London: Methuen & Co.
Lanza, Clara. Horace Everett. G. W. Dillingham Co.
Memorial of the Rev. Nathaniel G. Clark. Boston: Pilgrim Press.
New York Charities Directory. New York: Charity Organization Society.
O'Donoghue, D. J. The Life and Writings of James Clarence Mangan. Dublin: T. G. O'Donoghue.
Pancoast, H. S. An Introduction to American Literature. Henry Holt & Co. $1.
Quarto, The. London: J. S. Virtue & Co.; New York: Brentanos. $1.80.
Randle, F. A. "Nil." F. T. Neely. 50c.
Sidgwick, Prof. Henry. Practical Ethics. [Ethical Library.] London: Sonnenschein; New York: Macmillan.

Grant Allen's Evolution of the Idea of God.

8vo, $3.00.

"*The style is bright and attractive. . . . Shows an enormous amount of thought and ingenuity, . . . deserves careful study, . . . abundant matter for thought presented strikingly and fearlessly.*"—Prof. Frederick Starr, in The Dial.

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